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ALEXANDER L. STEVAS,

No. 80-1074

In the Supreme Court of the United States

OCTOBER TERM, 1980

RICHARD W. VELDE, ET AL., PETITIONERS,

v.

NATIONAL BLACK POLICE ASSOCIATION, INC., ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

JOINT APPENDIX

Volume I

Petition for writ of certiorari filed December 29, 1980
Certiorari granted May 4, 1981.

Index to Appendix

District Court Docket Entries 1

Court of Appeals Docket Entries 5

Second Amended Complaint (January 2, 1976)..... 11

Plaintiffs' Motion for a Preliminary Injunction and Writ of Mandamus (January 16, 1976) 46

Affidavit of E. Richard Larson and Exhibits..... 51

Affidavit of Penelope Brace and Exhibits..... 219

Affidavit of Ollie Glover and Exhibits 226

Defendants' Motion to Dismiss or for Summary Judgment (February 9, 1976) 234

Affidavit of Richard W. Velde and Attachment 1. 236

Affidavit of Edward H. Levi and Attachment 3 .. 247

Affidavit of Charles W. Work and Attachments .. 251

Affidavit of Herbert C. Rice 262

Statement of Reasons (excluding attachments and appendix) 265

Plaintiffs' Opposition to Defendants' Motion to Dismiss or for Summary Judgment (March 24, 1976) 304

Statement of Genuine Issues 309

Affidavit of E. Richard Larson Pursuant to Rule 56(f) 340

Affidavit of Bruce Bailey and Exhibits 346

Affidavit of Kristen Heemstra and Exhibits 423

Affidavit of Kent McKinney and Exhibit A 441

Affidavit of Penny Orazetti and Exhibit 451

Affidavit of Roberta Ledyard 458

Affidavit of Robert Booth and Exhibits 462

Affidavit of Jennie McAllister and Exhibits..... 476

Affidavit of E. Richard Larson Pursuant to Rule 56(a)..... 493

Order granting the petition for a writ of certiorari ... 495

Relevant Docket Entries

United States District Court for the District of Columbia

Civil Action No. 75-1444

DATE		PROCEEDINGS
1975		
Sept	4	COMPLAINT;.
Sept	15	REQUEST by pltffs' for admissions and interrogatories; c/m 9-11-75.
Sept	15	SECOND interrogatories by pltffs; c/m 9-11-75.
Sept	15	REQUEST by pltffs. for production of documents; c/m 9-11-75.
Sept	17	SECOND Request by pltffs. for admissions; Exhibit; c/m 9-11-75.
Oct	29	MOTION by pltffs' to drop a party pltff. and to amend the complaint; Memorandum; c/s 10-29-75.
Oct	29	AMENDED COMPLAINT; Notice; c/s 10-29-75.
Nov	4	MOTION by defts. for protective order staying discovery; P&A; c/m.
Nov	14	OPPOSITION by pltffs' to defts' motion for a protective order staying all discovery; P&A; c/m 11-13-75.
Nov	17	REPLY by defts. to pltffs' opposition to defts' motion for a protective order staying discovery; Affidavit of Winifred A. Dunton; Exhibit A & B; c/m.
Nov	19	REQUEST by defts. for hearing on all outstanding motions; c/m 11-19-75.
Nov	19	SUGGESTION by defts. that the court sua sponte strike the complaint alternative motion to strike complaint and Larson affidavit; P&A; c/m 11-19-75.

Dec	1	MEMORANDUM by pltffs. of points and authorities in opposition to defts' suggestion and alternative motion to strike complaint and Larson affidavit; c/m 11–26–75.
Dec	4	MOTION by pltffs. for certification as a class action; P&A; c/m 12–3–75.
Dec	16	STATUS CALL. Motion of pltffs. to drop a party and amend the complaint granted; suggestion of defts. and alternative motion to strike the complaint argued and granted without prejudice to pltff. to amend complaint within 20 days; Defts. have 30 days thereafter to answer amended complaint; all other proceedings held in abeyance pending filing of amended complaint. (OTBP) (Rep. Eva M. Sanche) Corcoran, J.
1976		
Jan	2	AMENDED complaint; c/m 1–2–76.
Dec	22	ORDER dropping The International Association of Women Police, Inc. as a party pltff. Pltff's shall have until 1–5–76 to replead. Defts shall have until 30 days from the date of service of pltff's new complaint to answer; All proceedings stayed. (N) Corcoran, J.
Jan	16	MOTION by pltffs' for a Preliminary Injunction and a Writ of Mandamus Affidavit of E. Richard Larson w/exhibit A, B, C, D, E, F, G & H; Affidavit of Penelope Brace w/exhibit A; Affidavit of Ollie S. Glover w/ exhibit A & B; Exhibit (Vol. VI report of U.S. Commission on Civil Rights); c/s 1–14–76; P&A w/ Appendix A.
Jan	16	NOTICE by pltffs. to take deposition of Herbert C. Rice; c/m 1–14–76.

Jan 16 MOTION by pltffs' to vacate the stay on answering previous discovery in this action; P&A; c/s 1-14-76.

Feb 9 MOTION by defts. to dismiss or for summary judgment; Statement; P&A w/attachment; Statement of Reasons; Appendix; Exhibit; Affidavit of Edward H. Levi w/attachments 1, 2 & 3; Affidavit of Richard W. Velde w/attachments 1, 2 & 3; Affidavit of Charles R. Work w/attachments A, B, C & D; Affidavit of Herbert C. Rice; w/attachments 1 thru 5; c/m 2-9-76.

Feb 18 MEMORANDUM of points and authorities by defts. in opposition to pltffs' motion to vacate stay; c/m 2-18-76.

Feb 18 MEMORANDUM of points and authorities by defts. in opposition to pltffs' motion for Preliminary Injunction; c/m 2-18-76.

Feb 18 MEMORANDUM of points and authorities by defts. in opposition to motion by pltffs' for certification as a class action; c/m 2-18-7.

Mar 24 OPPOSITION of pltffs' to defts' motion to dismiss or for summary judgment; statement of genuine issues; Affidavit of E. Richard Larson w/exhibit A; Affidavit of Bruce Bailey w/exhibit A; & B; Affidavit of Kristen Heemstra w/exhibits A, B, C & D; Affidavit of Kent G. McKinney w/exhibits A & B; Affidavit of Penny Orazetti w/exhibit A; Affidavit of Roberta Ledyard w/exhibit A; Affidavit of Robert Booth w/exhibits A, B & C; Affidavit of Jennie McAllister w/exhibits A, B & C; Affidavit of E. Richard Larson; P&A; Exhibit; c/m 3-24-76.

May 17 REPLY by defts' to pltffs' opposition to defts' motion to dismiss or for summary

judgment; Exhibit 1, 1A, 2, 3, 4, 5, 6 & 7; c/m 5–17–76.

May 17 RESPONSE by defts' to pltffs' "statement of genuine issues;" c/m 5–17–76.

June 07 RESPONSE by pltfs. to the six new defenses belatedly raised in def reply to pltfs. opposition to defts. motion to dismiss or for summary judgment; table of contents; table of cases; attachment Appendix; Exhibit 1 and 2; c/m 6/7/76.

Jun 23 SUPPLEMENTARY memorandum of defts' on motion to dismiss or for summary judgment; Attachment 1; c/m 6–23–76.

Jun 25 MOTION of deft. to dismiss or for summary judgment argued and take under advisement. (Rep. Eva M. Sanche) Corcoran, J.

July 2 POST-HEARING memorandum by defts.; c/m 7/2/76.

Nov 9 ALTERNATIVE Motion by defts' to dismiss as moot; P&A; Attachment c/m 11–9–76.

Nov 23 MEMORANDUM by pltffs' of points and authorities in opposition to defts' alternative motion to dismiss as moot; c/m 11–22–76.

Dec 14 ORDER filed Dec. 8, 1976 dismissing cause. (see order for details (N) Corcoran, J.

1977

Feb 4 NOTICE of Appeal by pltffs' from order dismissing action entered Dec. 8, 1976; $5.00 paid and credited to U.S.; copy sent to Nathan Dodell.

Feb 4 DEPOSIT by pltffs' in the amount of $250.00 in lieu of Cost Bond on Appeal.

Mar 15 RECORD on Appeal delivered to USCA; Receipt acknowledged. (USCA No. 77–1273)

RELEVANT DOCKET ENTRIES

UNITED STATES COURT OF APPEALS
FOR THE
DISTRICT OF COLUMBIA CIRCUIT

3-15-77	Certified Original Record (3 volumes) including 1 brown binder, 1 brown expandable folder, 1 manila envelope and 2 volumes transcript under separate cover (n-2)
4-26-77	15-Appellants' brief (m-22)
4-26-77	15-Appellants' statutes and Regulations (m-22)
4-27-77	4-Appellants' motion to proceed under Rule 30(c), deferred appendix (m-22)
5-6-77	Clerk's order granting appellants' motion to proceed under Rule 30(c) and the parties are granted leave to proceed under Rule 30(c). In lieu of submitting one copy of the typewritten or page proof brief provided under Rule 30(c), counsel shall submit 7 copies thereof for filing
10-6-77	7-Joint Appendix Vol. I, II & III (m-5)
10-13-77	15-Appellants' reply brief (m-11)
10-19-77	15-Appellees' brief (m-19)
10-20-77	15-Appellants' brief (m-18)
2-9-78	4-Appellees' motion to postpone oral argument (m-9)
2-15-78	Clerk's order granting appellees' motion to postpone oral argument and the oral argument schedule is postponed pending further order of the Court
2-16-78	4-Appellants' opposition to appellees' motion to postpone oral argument (m-14) (See above order)

2-21-78	4-Appellants' motion for reconsideration of this Court's order of 2/15/78 (m-16)
3-8-78	Per Curiam order denying appellants' motion for reconsideration of the Court's order postponing oral argument; CJ Bazelon, Wright and Wilkey, CJ's
7-7-78	4-Notification from counsel for appellee (Dept. of Justice) advising of decision in SC No. 76-709 (*Butz* v. *Enonomou*)
7-18-78	Order per CJ Wright, sua sponte, that appellants file a supplemental memorandum within 15 days of this order, and appellees respond 15 days after on the impact of the decision in *Butz* v. *Economou*.
8-4-78	15-Appellants' supplemental brief (m-2)
9-15-78	15-Appellees' supplemental memorandum (m-15)
12-19-78	4-Letter from counsel for appellee advising of additional authorities pursuant to Local Rule 8(g) (m-19)
1-5-79	Argued before Bazelon*, Tamm, CJ's and Parker, US District Court Judge for DC
10-15-79	4-Letter from counsel for federal appellee advising of additional authorities pursuant to FRAP 28(j) (m-15)
11-30-79	4-Transcripts of oral argument
2-1-80	4-Letter from counsel for appellant advising of additional authorities pursuant to Rule 28(j), FRAP (m-29)
3-6-80	4-Letter from counsel for appellee advising of additional authorities pursuant to Rule 28(j), FRAP (m-6)
5-14-80	Opinion for the Court filed by Senior Circuit Judge Bazelon.

5-14-80	Opinion concurring in part, concurring in result in part, and dissenting in part filed by Circuit Judge Tamm.
5-14-80	Ordered and adjudged by this Court that the judgment of the District Court appealed from in this cause is hereby reversed and the case is remanded to the District Court for further proceedings, not inconsistent with the opinion of this Court filed here this date.
5-19-80	4-Appellees' motion to extend time to file petition for rehearing to 6/27/80 (m-19)
5-27-80	1-Appellant's bill of costs (m-23)
6-3-80	Per Curiam order granting appellees' motion to extend time to file petition for rehearing to 6/27/80; SCJ Bazelon; Tamm, CJ and Parker, USDC Judge for DC
6-16-80	4-Appellee's motion to extend time to file petition for rehearing to 7-11-80 (m-1)
06-25-80	Per Curiam order granting appellees' motion to extend time to file petition for rehearing to 7-11-80; SCJ Bazelon; Tamm, CJ and Parker, USDC Judge for DC
7-11-80	15-Appellees' petition for rehearing and suggestion for rehearing en banc (m-11)
08-01-80	Per Curiam order that appellees' petition for rehearing is denied; SCJ Bazelon, Tamm CJ; and Parker, USDC Judge
08-01-80	Per Curiam order, en banc, that appellees' suggestion for rehearing, en banc, is denied; CJ Wright, Tamm, Robinson, MacKinnon, Robb, Wilkey, Wald, Mikva and Edward CJ's

08-12-80	4-Appellees' motion for a stay of mandate (M-12)
08-25-80	Per Curiam order that appellee's motion for a stay of mandate is granted and the Clerk is directed not to issue the mandate in this case prior to 9-9-80: SCJ Bazelon, Tamm, CJ, and Parker, USDC Judge
09-03-80	4-Appellees' motion for 30 day extension of stay of mandate (m-3)
09-25-80	Per Curiam order granting appellee's (FED.) motion for a further extension of the stay of mandate and the Clerk is directed not to issue the mandate herein prior to October 10, 1980' SCJ Bazelon, Tamm, CJ, and USDC Judge Parker
10-02-80	4-Appellees' motion to extend stay of mandate to 10/31/80 (m-2)
10-22-80	Per Curiam order that appellees' motion for an extension of stay of mandate is granted and Clerk is directed not to issue mandate prior to 11/3/80; SCJ Bazelon, Tamm, CJ and Parker, USDC Judge for DC
10-22-80	Copy of letter from Clerk, Supreme Court extending the time for filing a petition for writ of certiorari to and including December 29, 1980 in SC No. A-338
10-30-80	4-Appellees' motion for further stay of mandate (m-30)
11-26-80	Per Curiam order that appellees' motion for further stay of mandate is denied; SCJ Bazelon, Tamm, CJ; and USDC Judge Parker
12-12-80	Copy of opinion and certified copy of judgment and bill of costs in the

	amount of $206.00 issued to District Court.
2-11-81	Receipt dated 12/28/80 from the Clerk, District Court for the certified original record (3 vols.) including 1 brown binder, 1 brown expandable folder and one manila envelope and two volumes of transcript
03-27-81	Clerk's order that the Clerk of the District Court shall transmit the Certified Original Record to the Clerk of this Court as promptly as the business of his office permits; and that the Clerk of this Court is directed to certify and transmit to the Supreme Court of the United States the entire record herein forthwith. Upon receipt of the Certified Original Record, from the Clerk of the District Court, the Clerk of this Court shall transmit same to the Supreme Court of the United States.
03-31-81	Notification from Clerk, District Court that jacket is in Federal Record Center and has been ordered on 3/30/81. District Court will transmit record as soon as received
04-01-81	Volume of Original Clerk's File and 1 copy of this Court's opinion transmitted to Clerk, Supreme Court by messenger
04-01-81	Receipt dated 4/1/81 from SC for above material listed in 4/1/81 entry
04-07-81	Certified Original Record (3 vols.); 2 vols transcript under separate cover; 1 manila envelope of exhibits; 1 brown expandable folder; 1 exhibit in brown binder returned from District Court pursuant to order of 3/27/81

04–07–81	Above listed record transmitted to Supreme Court by messenger
04–08–81	Receipt dated 4/1/81 from Supreme Court for above record
05–06–81	Certified copy of order from Clerk, Supreme Court granting the petition for writ of certiorari in SC No. 80–1074 on May 4, 1981

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civ. No. 75-1444

Judge Corcoran

NATIONAL BLACK POLICE ASSOCIATION, INC.
7126 South Jeffrey Boulevard
Chicago, Illinois 60649,

PENELOPE BRACE
5004 F Street
Philadelphia, Pennsylvania 19124,

BRUCE BAILEY
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KRISTEN HEEMSTRA
200 Second Avenue, SE
Altoona, Iowa 50009,

OLLIE S. GLOVER
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JOEL MICHELLE SCHUMACHER
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New Orleans, Louisiana 70124,

RAYMOND CLARK
1551 Madison Street
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KENT G. MCKINNEY
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PENNY ORAZETTI
5132 S. W. Erickson
Beaverton, Oregon 97005,

ROBERTA LEDYARD
1105 S. W. 66th Street
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ROBERT BOOTH
24290 Norfolk
Detroit, Michigan 48219,

WILLIAM HARRIS
18952 Santa Barbara
Detroit, Michigan 48221,

JENNIE MCALLISTER
739 A-1 Judd Street
Honolulu, Hawaii 96871,

PLAINTIFFS,

-against-

RICHARD W. VELDE
Administrator
Law Enforcement Assistance
Administration
633 Indiana N.W.
Washington, D.C. 20530,

CHARLES R. WORK
Deputy Administrator for Administration
Law Enforcement Assistance Administration
633 Indiana, N.W.
Washington, D.C. 20530,

HERBERT C. RICE
Director
Office of Civil Rights Compliance
Law Enforcement Assistance Administration
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EDWARD H. LEVI
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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
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Washington, D.C. 20530,

UNITED STATES DEPARTMENT OF JUSTICE
Constitution and 10th Street, N.W.
Washington, D.C. 20530,

DEFENDANTS.

AMENDED COMPLAINT
CLASS ACTION
CIVIL RIGHTS

I. *NATURE OF THE CLAIM*

1. By this action, plaintiffs seek to redress the violation of their constitutional and statutory rights to nondiscrimination in federally funded law enforcement programs. Plaintiffs allege that the defendants have awarded in excess of one and a quarter billion dollars to law enforcement agencies—federal funding which has been used to discriminate on grounds of race and sex against the plaintiffs and members of their class. Plaintiffs seek *inter alia* to compel the defendants to terminate all funding to discriminatory law enforcement agencies, and in all other ways to enforce their constitutional and statutory civil rights obligations.

II. *JURISDICTION*

2. This action is brought by the plaintiffs on behalf of themselves and all others similarly situated for declaratory relief, injunctive relief, a writ of mandamus and damages against the Law Enforcement Assistance Administration [hereinafter sometimes "LEAA"], the United States Department of Justice [hereinafter sometimes "Justice"], and their executive officers Richard Velde, Charles Work, Herbert Rice and Edward Levi, who have acted unconstitutionally and in excess of their authority, to redress the violation of rights secured to the plaintiffs by, and to require the enforcement of, the nondiscrimination obligations of § 518(c) and § 509 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. § 3766(c) and § 3757; of Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d *et seq.;* of Executive Orders 11246 and

11375; of the regulations promulgated pursuant to the foregoing, 28 C.F.R. Part 42, and Equal Rights Guidelines, 38 Fed. Reg. 6415 (1973), reissued (1974); of the Due Process Clause of the Fifth Amendment to the United States Constitution; of 42 U.S.C. § 1981; of 42 U.S.C. § 1985 (3); of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution; and of 42 U.S.C. § 1983.

3. Jurisdiction is conferred upon this Court by 28 U.S.C. § 1331, § 1337, § 1343(3) and (4), § 1361; by 5 U.S.C. §§ 701 *et seq.*; and by 42 U.S.C. § 2000d–2. The amount in controversy as to each plaintiff exceeds $10,000 exclusive of interest and costs. This Court is authorized to issue a declaratory judgment pursuant to 28 U.S.C. § 2201 and § 2202.

III. *PLAINTIFFS*

4. Plaintiff National Black Police Association, Inc. [hereinafter sometimes "NBPA"], is incorporated in the State of Illinois and maintains its administrative offices in Chicago, Illinois. Plaintiff NBPA and its members have been discriminated against by the defendants through their refusal to terminate LEAA funding to discriminatory law enforcement agencies.

5. Plaintiff Penelope Brace is a female citizen of the United States and a resident of Philadelphia, Pennsylvania. Plaintiff Brace has been discriminated against by the defendants through their refusal to terminate LEAA funding to the Philadelphia Police Department.

6. Plaintiff Bruce Bailey is a black citizen of the United States and a resident of Gary, Indiana. Plaintiff Bailey has been discriminated against by the defendants through their refusal to terminate LEAA funding to the Indiana State Police Department.

7. Plaintiff Kristen Heemstra is a female citizen of the United States and a resident of Altoona, Iowa. Plaintiff Heemstra has been discriminated against by the defendants through their refusal to terminate LEAA funding to the Des Moines, Ames, and Newton Police Departments.

8. Plaintiff Ollie S. Glover is a black citizen of the United States and a resident of Richmond, California. Plaintiff Glover has been discriminated against by the defendants through their refusal to terminate LEAA funding to the Richmond Police Department.

9. Plaintiff Joel Michelle Schumacher is a female citizen of the United States and a resident of New Orleans, Louisiana. Plaintiff Schumacher has been discriminated against by the defendants through their refusal to terminate LEAA funding to the New Orleans Police Department.

10. Plaintiffs Raymond Clark and Kent G. McKinney are black citizens of the United States and residents of Oakland, California. Plaintiffs Clark and McKinney have been discriminated against by the defendants through their refusal to terminate LEAA funding to the Oakland Police Department.

11. Plaintiff Penny Orazetti is a female citizen of the United States and a resident of Beaverton, Oregon, and Plaintiff Roberta Ledyard is a female citizen of the United States and a resident of Portland, Oregon. Plaintiffs Orazetti and Ledyard have been discriminated against by the defendants through their refusal to terminate LEAA funding to the Portland Police Bureau.

12. Plaintiffs Robert Booth and William Harris are black citizens of the United States and residents of Detroit, Michigan. Plaintiffs Booth and Harris have been discriminated against by the defendants through their refusal to terminate LEAA funding to the Wayne County Sheriff's Department.

13. Plaintiff Jennie McAllister is a female citizen of the United States (of Chinese descent) and a resident of Honolulu, Hawaii. Plaintiff McAllister has been discriminated against by the defendants through their refusal to terminate LEAA funding to the Honolulu Police Department.

IV. *DEFENDANTS*

14. Defendant Richard Velde is a white male citizen of the United States and the Administrator of the Law Enforcement Assistance Administration of the United States Department of Justice. In conjunction with the other defendants, he is responsible for insuring that LEAA funds are not used in a racially or sexually discriminatory manner by recipients of LEAA funding and for enforcing LEAA's constitutional and statutory civil rights obligations. Defendant Velde is sued in his individual and official capacities.

15. Defendant Charles R. Work is a white male citizen of the United States and the Deputy Administrator for Administration of the Law Enforcement Assistance Administration of the United States Department of Justice. In conjunction with the other defendants, he is responsible for insuring that LEAA funds are not used in a racially or sexually discriminatory manner by recipients of LEAA funding and for enforcing LEAA's constitutional and statutory civil rights obligations. Defendant Work is sued in his individual and official capacities.

16. Defendant Herbert C. Rice is a white male citizen of the United States and the Director of the Office of Civil Rights Compliance of the Law Enforcement Assistance Administration of the United States Department of Justice. In conjunction with the other defendants, he is responsible for insuring that LEAA funds are not used in a racially or sexually discriminatory manner by recipients of LEAA funding and for enforcing LEAA's constitutional and statutory civil rights obligations. Defendant Rice is sued in his individual and official capacities.

17. Defendant Edward H. Levi is a white male citizen of the United States and the Attorney General of the United States. In conjunction with the other defendants, he is responsible for insuring that LEAA funds are not used in a racially or sexually discriminatory manner by recipients of LEAA funding and for enforcing LEAA's constitutional and statutory civil rights obligations. Defendant Levi is sued in his individual and official capacities.

18. Defendant Law Enforcement Assistance Administration of the United States Department of Justice was established by Congress through its enactment of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. §§ 3701 *et seq.*, to channel and direct the disbursement of federal monies to nondiscriminatory state, county and municipal governments and to private organizations for law enforcement purposes. LEAA, in conjunction with the other defendants, has distributed more than four billion dollars in LEAA federal funding to various governments and organizations, of which more than one and a quarter billion dollars has been distributed to state, county and municipal law enforcement agencies.

19. Defendant United States Department of Justice, an executive agency of the United States, is responsible for the operation and administration of LEAA, and in conjunction with the other defendants is responsible for insuring that the LEAA funding to state, county and municipal governments is not used in a racially or sexually discriminatory manner.

V. *CLASS ACTION*

20. Plaintiffs bring this action on their own behalf and, pursuant to Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure, on behalf of all others similarly situated. The class is composed of all black and female persons who have been discriminated against in employment on grounds of race or sex by law enforcement agencies which have received or currently receive LEAA funding.

21. The class is divided into two subclasses:

a. Plaintiffs NBPA, Bailey, Glover, Clark, McKinney, Booth and Harris represent all black persons who have been discriminated against in employment on grounds of race by law enforcement agencies which have received or currently receive LEAA funding.

b. Plaintiffs Brace, Heemstra, Schumacher, Ledyard, Orazetti and McAllister represent all female persons who have been discriminated against in employment on grounds

of sex by law enforcement agencies which have received or currently receive LEAA funding.

22. The subclasses, whose members number in the thousands, are so numerous as to render joinder of all members impracticable. The questions of law and fact, as to the defendants' failure to insure that LEAA funds are not used in a racially or sexually discriminatory manner by recipients of LEAA funding and as to the defendants' failure to enforce their constitutional and statutory civil rights obligations, are common to all members of the subclasses. The plaintiffs, black and female persons and the NBPA representing such persons, will fairly and adequately represent the interests of the subclasses, and their claims are typical of other members of the subclasses. The defendants have acted and more frequently refused to act on grounds generally applicable to the members of the subclasses, thereby making appropriate declaratory, injunctive and mandamus relief with respect to the subclasses and to the class as a whole.

VI. *STATEMENT OF THE CLAIM*

A. *All Plaintiffs and Members of Their Class*

23. Since 1970, more than fifty law enforcement agencies (and/or their executive officers), which have been sued in the United States District Courts for employment discrimination on grounds of race or sex, have had judgments entered against them or have entered into settlements or consent decrees whereby the police department defendants agreed to cease using discriminatory and non-job-related employment practices. The defendants have provided LEAA funding to each of these law enforcement agencies; they have never terminated that funding for civil rights noncompliance; and they have not sought to recover the unlawfully spent LEAA funding.

24. Of the fifty largest law enforcement agencies which receive LEAA funding from the defendants, at least twenty-six have been sued in employment discrimination lawsuits. The defendants have never terminated their LEAA funding to those agencies for civil rights noncompli-

ance nor have they sought to recover unlawfully spent LEAA funding.

25. As recently as October, 1975, the Department of Justice filed employment discrimination lawsuits against the New Jersey State Police, the Michigan State Police, and the South Carolina Highway Patrol. The defendants have provided more than five million dollars in LEAA funding to each of these state law enforcement agencies; they have never terminated their LEAA funding to those agencies for civil rights noncompliance; and their current LEAA funding continues to finance the same discriminatory practices challenged by the Department of Justice.

26. The defendants also provide LEAA funding to *prima facie* discriminatory law enforcement agencies which have not yet been sued. On information and belief, the defendants provide LEAA funding to more than 2000 law enforcement agencies each fiscal year. Yet, a survey undertaken in 1973 by the International Association of Chiefs of Police and the Police Foundation, conducted upon the employment practices of the approximately 700 state, county and municipal law enforcement agencies which employ more than 50 sworn police officers, revealed: (a) that 2% of all sworn police officers were female; (b) that (excluding three police departments in Hawaii and the Metropolitan Washington, D.C. Police Department) approximately 4% of all sworn police officers were minority persons; (c) that 97% of the police departments maintained minimum height requirements; (d) that background investigations were conducted on male applicants by 97% of the police departments, and on female applicants by 77% of the police departments; (e) that nearly all of the police departments used written tests as employment selection criteria and that 31% of the police departments used the Public Personnel Association (I.P.M.A.) Policeman Test; and (f) that 72% of the police departments rejected applicants with a juvenile arrest record without a subsequent conviction.

27. In 1974, another survey, undertaken by the Race Relations Information Center, was conducted on the racial and sexual composition of the 49 state police departments

(Hawaii has no state police force). Responses from the 42 answering state police departments revealed that of all sworn state police officers, 96.6% are white males, 1.5% are blacks, and 0.3% are females. Despite *prima facie* cases of discrimination, the defendants provide LEAA funding to all state law enforcement agencies and have never terminated their LEAA funding for civil rights noncompliance.

28. Although the defendants are authorized to conduct onsite compliance reviews of law enforcement agencies receiving LEAA funding, they have conducted no more than twenty such compliance reviews. Among the sixteen police departments which have been the subjects of such compliance reviews are Cleveland [see ¶ 39 *infra*.], New Orleans [see ¶ 72–76 *infra*.], and Portland [see ¶ 84–91 *infra*.]. Since 1974, only one on-site compliance review has been conducted—that upon the Norfolk (Virginia) Police Department. As a result of their reviews, the defendants have determined that only several of the reviewed police departments were not in civil rights compliance, but even then the defendants refused to terminate their LEAA funding; instead, funding has continued.

29. Prior to 1974, the defendants had a policy of not conducting any pre-award compliance reviews of law enforcement agencies which applied for LEAA funding. Sometime thereafter, defendants adopted a policy indicating that they would conduct pre-award compliance reviews, but only on potential recipients of LEAA discretionary grants in excess of $750,000. In the spring of 1975, this figure was reduced to $250,000. This policy limits pre-award reviews to fewer than one hundred law enforcement agencies.

30. Although the defendants, pursuant to their regulations, have required each LEAA recipient to prepare a written Equal Employment Opportunity Program, ["EEOP"], the defendants have not systematically reviewed the substance of those EEOPs, nor have they ever required that the EEOPs be submitted to the defendants by the recipients. The defendants routinely award LEAA funding without substantive knowledge of the contents of recipients' EEOPs.

31. Although the defendants, pursuant to their Equal Rights Guidelines, prohibit the use of minimum height requirements as employment selection criteria, unless proven to be of "operational necessity," the defendants have never conducted a survey or review to determine the continued use of, operational necessity of, or elimination of such minimum height requirements by LEAA recipients. The defendants routinely award LEAA funding without knowledge of the recipients' continued use of minimum height requirements.

32. Despite the defendants' regulations to the contrary, defendant Velde has maintained that the utilization of women in police service is a "novel question" and "is in need of resolution in a court of law." Pursuant to this policy, the defendants will not terminate LEAA funding to any law enforcement agency which denies sworn police officer employment to women.

33. As of the spring of 1975, the defendants had received more than 300 administrative charges of discrimination, of which more than 90% alleged employment discrimination. The defendants classify the charges of discrimination as active or inactive: charges which indicate that federal litigation has been filed are classified as inactive and are not investigated; of the 133 charges considered by defendants to be active, 25 date back to 1972 or 1973. Several of the police departments named in administrative charges have been determined by the defendants not to be in civil rights compliance, but defendants have not terminated their LEAA funding; instead, LEAA funding has continued.

34. Defendants have never denied or terminated LEAA funding to a law enforcement agency as a potential recipient or recipient of LEAA funding on the grounds that the law enforcement agency was engaged in race or sex discrimination or was otherwise in civil rights noncompliance.

35. Defendants have never conducted an administrative hearing to determine whether a law enforcement agency receiving LEAA funding was in noncompliance with federal nondiscrimination requirements and whether LEAA funding should be suspended or terminated.

B. *Plaintiff National Black Police Association, Inc.*

36. Plaintiff National Black Police Association, Inc. is a national organization whose membership is comprised of local and regional black police organizations (the member organizations, in turn, have memberships comprised of sworn and unsworn black police personnel). Currently the NBPA membership numbers more than fifty incorporated and unincorporated black police organizations.

37. Plaintiff NBPA, directly and through its officers and member organizations, has undertaken vast efforts in pursuit of its objectives of achieving federal enforcement of civil rights laws requiring equal employment opportunity for blacks and women in law enforcement, and of eliminating race and sex discrimination in law enforcement agencies receiving LEAA funding.

38. Primary among these efforts have been plaintiff NBPA's efforts to achieve federal enforcement of civil rights laws:

a. From 1972 to the present, plaintiff NBPA and Renault Robinson, the Executive Director of plaintiff NBPA, sought to disengage the Office of Revenue Sharing from its participation in the discriminatory employment practices of the Chicago Police Department. The results of those efforts are reported in *Robinson v. Shultz*, 7 E.P.D. ¶ 9270 (D.D.C. 1974), supplemental order, 8 E.P.D. ¶ 9832 (D.D.C. 1974), stay denied, 9 E.P.D. ¶ 9861 (D.D.C. 1975), order confirmed, 395 F.Supp. 329 (N.D. Ill. 1975).

b. In February, 1975, plaintiff NBPA sought to participate in a conference hosted by the defendants in Rochester, Michigan for the alleged purpose of reviewing their LEAA civil rights enforcement activities. Although a lawyer for plaintiff NBPA urged defendant Rice to invite Renault Robinson or another official representative of plaintiff NBPA to that conference, he and the other defendants refused to do so.

c. In March, 1975, defendant Velde convened a meeting with defendant Levi and defendant Rice, among others, to discuss the defendants' civil rights enforcement obligations. At that meeting, George Thomas, President of plaintiff

NBPA, urged the defendants to begin to enforce their civil rights compliance obligations. Defendants responded by indicating that they would establish an LEAA advisory council (composed primarily of minority persons); no such council has been formed by defendants.

d. By a letter to defendant Rice, in August, 1975, President Thomas on behalf of plaintiff NBPA again urged the defendants to enforce their civil rights obligations, and in particular to suspend immediately all LEAA funding to the Indiana State Police Department and to the Wayne County Sheriff's Department both of which had been judicially determined in preceding weeks to have been engaged in unlawful employment discrimination. In a reply letter, dated September 3, 1975, defendant Rice indicated that the defendants would not terminate the LEAA funding to the Indiana State Police Department or to the Wayne County Sheriff's Department. President Thomas' responsive letter has not been answered by the defendants.

39. Also primary among plaintiff NBPA's efforts have been the efforts of plaintiff NBPA and its members to eliminate race and sex discrimination in law enforcement agencies receiving LEAA funding:

a. In 1972, the Shield Club, a member of plaintiff NBPA, sought to eliminate the racially discriminatory employment practices of the Cleveland Police Department by filing a federal court lawsuit, the results of which are partially reported in *Shield Club v. Cleveland*, 370 F.Supp. 251 (N.D. Ohio 1973). In 1973, Jean Clayton, a police officer with the Cleveland Police Department and a member of the Shield Club, sought to eliminate the sexually discriminatory employment practices of the Cleveland Police Department by filing a federal court lawsuit, *Clayton v. Cleveland*, C–73–784 (N.D. Ohio, filed July 23, 1973); *Clayton* and three other sex discrimination lawsuits against the Cleveland Police Department have not yet been set for trial.

b. In 1972, the Bridgeport Guardians, a member of plaintiff NBPA, sought to eliminate the discriminatory employment practices of the Bridgeport Police Department by fil-

ing a federal court lawsuit, the results of which are partially reported in *Bridgeport Guardians v. Bridgeport Civil Service Commission*, 354 F.Supp. 778 (D. Conn.), *modified*, 482 F.2d 1333 (2d Cir. 1973) and 497 F.2d 1113 (2d Cir. 1974).

c. In 1972, the Afro American Patrolmen's League, a member of plaintiff NBPA, sought to eliminate the discriminatory promotion practices of the Toledo Police Department by filing a federal court lawsuit, the results of which are partially reported in *Afro American Patrolmen's League v. Duck*, 366 F.Supp. 1095 (N.D. Ohio 1973), *aff'd*, 503 F.2d 294 (6th Cir. 1974).

d. In 1973, the Society of Afro American Police, a member of plaintiff NBPA, sought to eliminate the discriminatory employment practices of the Flint Police Department, by intervening in a lawsuit against the Flint Police Department, the results of which are partially reported in *Holliman v. Price*, 7 E.P.D. ¶ 9069 (E.D. Mich. 1973).

e. In 1973 the Officers for Justice, a member of plaintiff NBPA, sought to eliminate the discriminatory employment practices of the San Francisco Police Department by filing a federal court lawsuit, the results of which are partially reported in *Officers for Justice v. Civil Service Com'n. of San Francisco*, 371 F.Supp. 1328 (N.D.Cal. 1973) and 395 F.Supp. 378 (N.D.Cal. 1975).

f. In August, 1974, the Magnolia State Peace Officers *Association of Louisiana*, a member of plaintiff NBPA, sought to eliminate the discriminatory employment practices of the Louisiana State Police by filing a charge of discrimination with defendant United States Department of Justice, which in turn referred that charge to defendant LEAA.

g. In 1974, the Guardians of Michigan, a member of plaintiff NBPA, sought to eliminate the discriminatory employment practices of the Wayne County Sheriff's Department by filing a state court lawsuit, by filing a federal court lawsuit, and by filing LEAA charges. In 1975, the Guardians of Michigan also sought to eliminate the discriminatory seniority layoff practices of the Detroit Police Department by fil-

ing a federal court lawsuit, a suit which has resulted in a preliminary injunction against the discriminatory layoffs.

h. In 1975, the Guardians of Justice, a member of plaintiff NBPA, sought to eliminate the discriminatory employment practices of the Richmond Police Department by filing LEAA charges and by filing a federal court lawsuit. Seven years earlier, similar efforts by the Guardians resulted in the Richmond Police Department placing letters of reprimand in the personnel files of each Guardian member.

i. During the past three years, the Guardians of Greater Pittsburgh, a member of plaintiff NBPA, has sought to eliminate the discriminatory employment practices of the Pittsburgh Police Department by filing administrative complaints with the Attorney General of the State of Pennsylvania and with the EEOC, and by filing a federal court lawsuit.

j. Also during the past three years, the Louisville Black Police Officers Organization, a member of plaintiff NBPA, has sought to eliminate the discriminatory employment practices of the Louisville Police Department by filing administrative complaints with the Louisville Human Relations Commission, the Kentucky Human Rights Commission, and the EEOC; by filing a revenue sharing complaint with the United States Department of the Treasury; by filing an LEAA complaint with the defendants; and by filing a federal court lawsuit.

40. Despite the efforts of plaintiff NBPA, of its officers and of its members, the defendants have provided LEAA funding to each of the aforementioned discriminatory law enforcement agencies and have refused to terminate that funding.

41. Defendants' refusal to enforce their civil rights obligations, as alleged throughout this Complaint, has caused direct harm and injury to plaintiff NBPA, and to its members:

a. Defendants' refusal to enforce their constitutional and statutory civil rights obligations has wholly frustrated the primary objectives and efforts of plaintiff NBPA.

b. Defendants refusal to enforce their constitutional and statutory civil rights obligations has served to finance and thus to perpetuate the discriminatory and exclusionary employment practices of LEAA recipients, thereby denying equal employment rights to blacks and women.

c. Defendants' refusal to enforce their constitutional and statutory civil rights obligations has served to limit the already limited pool of potential members of plaintiff NBPA and of its member organizations.

d. Defendants' refusal to enforce their constitutional and statutory civil rights obligations has required NBPA member organizations and their members to file administrative complaints and costly lawsuits to obtain their civil rights, to deplete their own financial resources through such complaints and lawsuits, to expose themselves to extra-legal sanctions and harassment for asserting their civil rights, and to jeopardize the member organizations' existence and the individuals' employment by asserting their civil rights.

C. *Plaintiff Brace*

42. Plaintiff Penelope Brace has been discriminated against by the defendants through their provisions of more than eight million dollars in LEAA funding to the Philadelphia Police Department and through their refusal to terminate that funding, despite the defendants' determination nearly two years ago that the Department was not in civil rights compliance.

43. As of November, 1974: the Philadelphia Police Department employed 8,245 sworn police officers, of whom only 74 (or .9%) were female; the Philadelphia Police Department had authorized the employment of 8,276 "policeman" positions open only to males, but had authorized the employment of only 86 "policewoman" positions open to females; thus only 1.0% of all sworn officers could be female.

44. All female officers were and are permanently assigned to the Juvenile Aid Division. No female sworn officer, regardless of rank, is permitted to supervise any male sworn officer on a permanent basis, whether within or without the Juvenile Aid Division.

45. In July, 1973, plaintiff Brace, a "policewoman" employed by the Department since 1965, filed a sex discrimination charge with the defendants against the Philadelphia Police Department. In that charge she requested the defendants to "consider holding up funding for the Police Department in Philadelphia, until such time as my complaint is resolved."

46. In the six months after plaintiff Brace filed her charge of discrimination, the Philadelphia Police Department reassigned her, placed her under surveillance, requested her to report for a special psychiatric examination, denied her promotions to corporal and detective on the grounds that she was not a "policeman"; and initiated dismissal proceedings against her. The defendants were apprised of all of these actions but refused to terminate or even to suspend their LEAA funding to the Philadelphia Police Department.

47. In January, 1974, after several months of investigation and unsuccessful efforts to achieve voluntary civil rights compliance from the Philadelphia Police Department, the defendants formally determined that the Philadelphia Police Department was not in civil rights compliance. In a confirmation mailgram, dated February 1, 1974, to Police Commissioner Joseph O'Neill, defendant Rice stated:

> "LEAA HAS DETERMINED THAT THE PHILADELPHIA POLICE DEPARTMENT HAS FAILED TO COMPLY WITH THE LEAA EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS, 28 C.F.R. 42.201 *ET. SEQ.*, SUBPART D. THE LEAA HAS FURTHER DETERMINED THAT COMPLIANCE WITH THESE REGULATIONS CANNOT BE ACHIEVED BY VOLUNATRY MEANS. ACCORDINGLY THIS MATTER HAS BEEN REFERRED TO THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT OF JUSTICE FOR CONSIDERATION OF THE INSTITUTION OF APPROPRIATE LEGAL PROCEEDINGS IN ACCORDANCE WITH THE LAW AND REGULATIONS OF THE DEPARTMENT OF JUSTICE AND THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION."

By a letter dated February 4, 1974, defendant Rice similarly advised plaintiff Brace of the defendants' formal determination of noncompliance. The defendants however did not terminate their LEAA funding to the Philadelphia Police Department.

48. On February 12, 1974, plaintiff Brace filed a complaint in the United States District Court alleging unlawful sex discrimination against the City of Philadelphia and its officials, *Brace v. O'Neill*, No. 74–339 (E.D. Pa., filed Feb. 12, 1974). Three days later, on February 15, 1974, plaintiff Brace was fired from her employment by the Philadelphia Police Department. She subsequently was reinstated by the Civil Service Commission, and currently continues to be employed as a "policewoman."

49. Throughout these various proceedings, and despite their referral of the matter to the Department of Justice for consideration of litigation, the defendants refused to initiate the procedures mandated by § 518(c) and § 509 of the Omnibus Crime Control and Safe Streets Act to terminate the LEAA funding to the Philadelphia Police Department. Instead, in the nearly two years since the defendants' determination of noncompliance, the defendants have awarded nearly four million dollars in additional LEAA funding to the Philadelphia Police Department.

50. In a letter to Representative Charles Rangel dated January 10, 1975, defendant Velde attempted to justify the defendants continued LEAA funding, in violation of the defendants' regulations, to the Philadelphia Police Department by stating that "of more immediate consequence" than enforcing civil rights was the "impact upon all citizens of Philadelphia" of providing the LEAA funding, and therefore that "institution of proceedings to defer, suspend, or terminate funding seems inappropriate in this case."

D. *Plaintiff Bailey*

51. Plaintiff Bruce Bailey has been discriminated against by the defendants through their provision of more than three million dollars in LEAA funding to the Indiana State Police Department and through their refusal to terminate that funding, despite a court ordered declaratory judgment

finding the Department's employment practices unlawful under the defendants' regulations.

52. In the history of the Indiana State Police Department, only four blacks have been employed as state troopers. As of August, 1974, the Indiana State Police Department employed 937 uniformed state troopers and higher ranking officers, of whom only three (or .3%) were black. Currently, there are still only three black state troopers. According to the 1970 census, the population of the State of Indiana was 6.9% black.

53. The Indiana State Police Department has engaged in discriminatory recruiting which has preserved its predominately white work force. The Department also has limited the breadth of experience of the few black troopers through discriminatory assignments, thereby limiting the promotion opportunities of the black troopers. Additionally, the Department has used a discriminatory and unvalidated written test which has had the effect of denying employment to a disproportionate number of black applicants. For example, in 1974, the test screened out 100% of the black applicants but only 43% of the white applicants; in 1973, the test screened out 71% of the black applicants but only 43% of the whites. Plaintiff Bailey was one of the victims of the Department's discrimination, having been twice denied employment as a state trooper by the Department.

54. On August 29, 1974, plaintiff Bailey and the Indiana State Conference of Branches of the NAACP filed an employment discrimination complaint in the United States District Court against the Indiana State Police Department and various of its officials, *Bailey v. DeBard*, No. IP 74–458–C (S.D. Ind., filed Aug. 26, 1974). Less than two months after the filing of the complaint in *Bailey v. DeBard*, *supra*, the Indiana State Police Department commenced a training school for a new class of state troopers to fill 52 newly authorized state trooper positions; the entire class of new state troopers was white.

55. During the fall of 1974, the defendants were aware of the discriminatory employment practices of the Indiana State Police Department, but they declined to initiate their

mandated procedures to terminate their LEAA funding to the Department.

56. On July 31, 1975, the Court in *Bailey* v. *DeBard*, *supra*, issued a Memorandum Opinion and Judgment declaring unlawful the Department's use of its written tests and promotion procedures, and the Department's failure to recruit black troopers. The Court specifically held the Department and its officials to be in violation of 42 U.S.C. §§ "2000d *et seq.* . . . and 3766(c) and the regulations promulgated thereunder as Title 28 C.F.R. Sections 42.201–42.206 and 42.301–42.308." The Court also noted that the Superintendent of the State Police Department, on July 1, 1974, had certified that the Department intended to formulate an Equal Employment Opportunity Program in accordance with the LEAA regulations, 28 C.F.R. §§ 42.301 *et seq.*, but that the EEOP had never been financed much less implemented.

57. In August, 1975, plaintiff Bailey filed a charge of discrimination with the defendants and enclosed a copy of the Court's Memorandum Opinion and Judgment in *Bailey* v. *DeBard*, *supra*. In that charge, plaintiff Bailey noted that the Court had not yet entered any injunctive relief, that the provision of LEAA funding to a discriminatory law enforcement agency was unlawful, and that the defendants were thus required to "suspend all LEAA funding to the Indiana State Police Department and [to] initiate administrative proceedings to recover all LEAA monies already unlawfully spent by the Indiana State Police Department." The defendants refused [see ¶38, *supra*.] and instead have continued to finance the discriminatory employment practices of the Indiana State Police Department.

E. *Plaintiff Heemstra*

58. Plaintiff Kristen Heemstra has been discriminated against by the defendants through their provision of and refusal to terminate their LEAA funding to the Des Moines, Ames, and Newton (Iowa) Police Departments, despite the defendants' knowledge that each of those Departments has discriminatorily denied employment as a police officer to

plaintiff Heemstra in violation of the defendants' Equal Rights Guidelines.

59. Plaintiff Heemstra received an AA degree from Des Moines Area Community College in May, 1974. Her major was law enforcement, and she graduated with a cumulative grade point average of 3.98 (on a scale of 0.00–4.00; 4.00=straight A). Plaintiff Heemstra, a former high school basketball player, stands 5'8-½" in height and weighs 130 lbs.

60. In January, 1974, plaintiff Heemstra was denied employment by the Des Moines Police Department on the grounds that she did not meet the Department's unvalidated 5'9" minimum height requirement and 150 lb. minimum weight requirement. The Des Moines Police Department employs approximately three-hundred and sixty sworn patrol officers, only one (or approximately .3%) of whom is a female.

61. Several years earlier, an Iowa Assistant Attorney General and attorney for the Iowa Civil Rights Commission spoke by phone with Stephen Glassman, a representative of defendant LEAA's Office of Civil Rights Compliance, urged him to investigate the Des Moines Police Department's minimum height and weight requirements, but was advised by Mr. Glassman that no such investigation would be undertaken as Iowa was too low a priority for defendant LEAA's Office of Civil Rights Compliance.

62. In April 1974, plaintiff Heemstra was denied employment as a police officer by the Ames Police Department on the grounds that she did not meet the Department's unvalidated 5'9" minimum height requirement and 160 lb. minimum weight requirement. The Ames Police Department employs approximately 27 sworn patrol officers, of whom none is a female.

63. On four separate occasions, most recently in September, 1974, plaintiff Heemstra has been denied employment as a police officer with the Newton Police Department on the grounds that she did not meet the Department's unvalidated 5'9" minimum height requirement and 150 lb. minimum weight requirement. The Newton Police Depart-

ment employs approximately 25 sworn police officers, of whom none is a female.

64. On May 2, 1975, plaintiff Heemstra filed with the defendants a charge of discrimination against the Des Moines Police Department, the Ames Police Department and the Newton Police Department. Plaintiff Heemstra also charged discrimination against the Pella Police Department and the Urbandale Police Department both of which also denied her employment as a police officer. In her charge, plaintiff Heemstra noted that the receipt of LEAA funding by the respective police departments was unlawful and she urged the defendants to enforce their civil rights obligations immediately.

65. In response to plaintiff Heemstra's charge of discrimination, the defendants have refused to initiate procedures to terminate LEAA funding and have refused even to investigate the discrimination charges. LEAA funding continues.

F. *Plaintiff Glover*

66. Plaintiff Ollie S. Glover has been discriminated against by the defendants through their provision of and refusal to terminate their LEAA funding to the Richmond (California) Police Department. Plaintiff Glover, a ten-year veteran of the Richmond Police Department currently holding the rank of sergeant, has been discriminatorily denied promotion to the rank of lieutenant.

67. The Richmond Police Department employs approximately 178 sworn police officers, of whom only 24 (or approximately 11.3%) are black. According to the 1970 census, the population of the City of Richmond was 36.2% black. Upon information and belief, the current population of the City of Richmond is 40% black. All but three of the black officers hold the entry-level rank of patrolman. Of those black officers above the rank of patrolman, all three are sergeants (of a total of twenty-six sergeants). There are no black captains or lieutenants. It was not until 1967 that any black officer was promoted above the rank of patrolman.

68. The Richmond Police Department has assigned duties and shifts on a racial basis. The Department also has used a discriminatory and unvalidated written test which has had the effect of denying employment to a disproportionate number of black applicants. For example, in November, 1974, the test screened out 70% of the black applicants but only 21% of the white applicants. Other selection criteria include discriminatory and unvalidated height requirements and background investigations. Additionally, the Department uses discriminatory and invalidated promotion examinations for the rank of sergeant and lieutenant which in the fall of 1974 screened out all black applicants, including plaintiff Glover.

69. In April, 1973, a coalition of seven civil rights organizations filed a charge of discrimination with the defendants against the Richmond Police Department at eighteen other California Police Departments. That charge detailed the discriminatory employment practices of the Richmond Police Department, noted that Richmond had received $272,894 in LEAA funding in 1971 and 1972, and sought the "termination or suspension" of LEAA funding. On information and belief, the defendants in response requested information from the Department, but declined to conduct an on-site field investigation. The defendants did not initiate fund termination procedures

70. Since there was no change in the Department's federally funded discriminatory practices, plaintiff Glover, other black officers, and the Guardians of Justice, a member of plaintiff NBPA, filed an employment discrimination complaint in the United States District Court on March 5, 1975, against the City of Richmond and various of its officials, *The Guardians of Justice v. Richmond*, C–75–0439–SW (N.D. Cal., filed March 5, 1975).

71. In July, 1975, plaintiff Glover mailed a charge of discrimination, enclosing a copy of the *Guardians* complaint, to the defendants. In August, 1975, defendant Rice responded to plaintiff Glover by acknowledging the pendency of *Guardians* in the federal court and stating that LEAA "will defer asserting of jurisdiction over the similar subject

matter until there has been a judicial resolution of that matter." In the meantime, the defendants have continued to provide uninterrupted LEAA funding to the Richmond Police Department.

G. *Plaintiff Schumacher*

72. Plaintiff Joel Michelle Schumacher has been discriminated against by the defendants through their provision of and refusal to terminate their LEAA funding to the New Orleans Police Department, despite the defendants knowledge that the Department has discriminatorily denied employment to plaintiff Schumacher in violation of the defendants' Equal Rights Guidelines.

73. Plaintiff Schumacher received an AA degree in Law Enforcement from Delgado Junior College in December, 1974. Plaintiff Schumacher stands 5'5" in height.

74. In the spring of 1974, plaintiff Schumacher applied for employment as a police officer with the New Orleans Police Department; she took and passed the written test, and thereafter was placed on the police eligible list. Plaintiff Schumacher was denied employment, however, on the grounds that she did not meet the Department's unvalidated 5'8" minimum height requirement. The New Orleans Police Department employs approximately 1,139 sworn police officers, only 19 (or approximately 1.7%) of whom are women.

75. In January, 1975, plaintiff Schumacher filed with the defendants a charge of employment discrimination based upon sex against the New Orleans Police Department. Also in January, 1975, plaintiff Schumacher filed a complaint for Intervention in the United States District Court alleging unlawful sex discrimination against the City of New Orleans and its officials, *Williams v. New Orleans*, No. 73–629 (E.D. La., Intervention filed Jan. 3, 1975).

76. Several years earlier, in March of 1973, defendants conducted a compliance review of the New Orleans Police Department. On information and belief, the defendants determined that the Department's 5'8" height requirements was sexually discriminatory and not job related, and that

the Department was not in civil rights compliance. Defendants, however, never terminated their LEAA funding to the Department; instead, they continued to fund the Department's discriminatory practices.

H. *Plaintiffs Clark and McKinney*

77. Plaintiffs Raymond Clark and Kent G. McKinney have been discriminated against by the defendants through their provision of more than one million dollars in LEAA funding to the Oakland Police Department and their refusal to terminate that funding. Plaintiff Clark has been denied promotion and otherwise harassed and plaintiff McKinney has been discharged, all on grounds of race, by the Oakland Police Department.

78. The Oakland Police Department employs approximately 708 sworn police officers, of whom only 91 (or 12.8%) are black. Only one police officer is a woman. According to the 1970 census, the population of the City of Oakland was 34.7% black. On information and belief, the current population of the City of Oakland is approximately 45% black. All but six of the black officers hold the entry-level rank of police officer. Of approximately 125 sergeants, only five (or approximately 4.0%) are black. Of the 32 lieutenants only one (or 3.1%) is black. Of the 12 captains, none is black.

79. The Oakland Police Department uses a discriminatory and unvalidated written test which screens out a disproportionate number of black officers during training and probation for reasons unrelated to successful job performance. And the Department uses discriminatory and unvalidated promotion criteria which screen out a disproportionate number of black officers from promotion.

80. In April, 1973, a coalition of seven civil rights organizations filed a charge of discrimination with the defendants against the Oakland Police Department and eighteen other California Police Departments. That charge detailed the discriminatory employment practices of the Oakland Police Department, noted that Oakland had received $738,672 in LEAA funding in 1971 and 1972, and sought the "termina-

tion or suspension" of LEAA funding. On information and belief, the defendants in response requested information from the Department, but refused to conduct an on-site field investigation. The defendants did not initiate fund termination procedures.

81. In June, 1974, plaintiff McKinney, one of the few Oakland police officers who was a college graduate, was discriminatorily discharged by the Oakland Police Department for reasons unrelated to successful job performance.

82. In August, 1974, plaintiff McKinney and plaintiff Clark, President of the Oakland Black Officers Association, a member of plaintiff NBPA, filed a charge of discrimination with the defendants against the Oakland Police Department. In that charge, plaintiffs Clark and McKinney complained of plaintiff McKinney's discriminatory discharge and enumerated other discriminatory employment practices of the Oakland Police Department. Although the defendants conducted an investigation of that charge, they have not initiated procedures to terminate their LEAA funding to the Oakland Police Department.

83. Subsequent to the filing of the charge with the defendants, the Oakland Police Department suspended plaintiff Clark, caused him to receive an unfavorable supervisory evaluation, denied him promotion through a discriminatory and unvalidated written test, and twice assigned him a swing shift which precluded him from attending two quarters in the law school in which he had been enrolled. Despite the defendants' knowledge of these events, the defendants have continued to provide uninterrupted LEAA funding to the Oakland Police Department.

I. *Plaintiffs Orazetti and Ledyard*

84. Plaintiffs Penny Orazetti and Roberta Ledyard have been discriminated against by the defendants through their provision of more than five million dollars in LEAA funding to the Portland (Oregon) Police Bureau and their refusal to terminate that funding, despite the defendants' determination that the Bureau is not in civil rights compliance.

85. Until 1973: the Portland Police Bureau maintained separate job classifications for female officers, classified as "policewomen," and for male officers, classified as "policemen"; there were only 18 authorized entry-level and promotional positions for policewomen, and approximately 700 entry-level and promotional positions for policemen; policewomen were paid less than policemen (deemed to be "specialists") performing the same work; and all policewomen were permanently assigned to the Women's Protective Division. Currently, the Portland Police Bureau employs approximately 730 sworn police officers, of whom only 27 (or approximately 3.7%) are women.

86. Plaintiff Orazetti became a policewoman with the Portland Police Bureau in 1964 at a time when policewomen were required to have a college degree although policemen needed only a high school diploma or G.E.D. When plaintiff Orazetti complained that entry-level policemen ("specialists") were being paid higher salaries than entry-level policewomen performing the same work, she was threatened with termination. In 1968, when plaintiff Orazetti applied to take the promotion examination for detective, her application was denied on the grounds that she was not a "policeman," and she was assigned to secretarial duties as punishment. In recent years, plaintiff Orazetti has been denied other promotions, denied access to transfers, and in other ways discriminatorily harassed.

87. Plaintiff Roberta Ledyard became a policewoman with the Portland Police Bureau in July, 1971. After graduating number one in her class ahead of the 42 policemen in the Police Academy, plaintiff Ledyard was assigned to the Women's Protective Division although the policemen received assignments throughout the Police Bureau. Like plaintiff Orazetti, plaintiff Ledyard thereafter was denied equal pay, was denied access to transfers and promotions, and was in other ways discriminatorily harassed.

88. In December 972, an investigative team from defendant LEAA conducted a civil rights compliance review of the Portland Police Bureau's employment practices. Plaintiffs Orazetti and Ledyard were told by the investigators that

the filing of administrative charges with defendant LEAA was unnecessary because of the compliance review and because defendant LEAA "would never deny LEAA funds to an agency because of discrimination."

89. In a letter dated January 31, 1973, defendant Rice advised the Portland Civil Service Board that the Portland Police Bureau was not in compliance with the LEAA nondiscrimination regulations, and that four "immediate steps" were "require[d]": (1) that the position of policewoman be abolished; (2) that female officers be given equal opportunity in promotion; (3) that previously denied training be given to female officers to allow them "to fairly compete in promotional examinations"; and (4) that a "new recruiting effort" be undertaken to attract female applicants.

90. Of the four requirements set forth in defendant Rice's determination, only the first has been complied with: the Portland Police Bureau abolished the position of policewoman, but it lowered the pay of all police officers to that previously paid to policewomen; refused to direct recruitment to attract female officers; required applicants to pass discriminatory and unvalidated physical agility tests; refused to provide additional training to female officers; and continued to penalize female officers for lack of patrol experience (denied to women before 1973) in promotional examinations. And although the Bureau appointed plaintiff Orazetti as Project Director of an LEAA funded project, it has paid her a lower salary than the previous Project Director, a male officer.

91. On information and belief, the defendants have unsuccessfully attempted to secure voluntary civil rights compliance from the Portland Police Bureau during the past several years. Despite the Bureau's civil rights noncompliance, the defendants have refused to initiate their mandated fund termination procedures and instead have continued to provide uninterrupted LEAA funding to the Bureau.

J. Plaintiffs Booth and Harris

92. Plaintiffs Robert Booth and William Harris have been discriminated against by the defendants through their

provision of nearly four million dollars in LEAA funding to the Wayne County (Michigan) Sheriff's Department and their refusal to terminate that funding, despite a court ordered preliminary injunction finding the Department's promotion practices to be discriminatory.

93. Plaintiff Robert Booth, a fifteen-year veteran of the Wayne County Sheriff's Department currently holding the entry-level position of patrolman, has been denied promotion to the ranks of detective or sergeant on seven separate occasions, most recently in September, 1974, on the grounds that he failed to rank high enough on the Department's discriminatory and unvalidated promotion criteria. On the basis of the recent examinations administered in the fall of 1974, the Department excluded all black applicants from promotion to detective or sergeant.

94. Plaintiff William Harris, a seventeen-year veteran of the Wayne County Sheriff's Department currently holding the rank of lieutenant, was denied promotion to the rank of deputy inspector in December, 1973, on the grounds that he had failed the Department's discriminatory and unvalidated oral interview. All other black applicants were similarly denied promotion for failing that oral interview.

95. The Wayne County Sheriff's Department has promoted very few blacks to command positions: of 29 detectives, there are only 3 (or 10.3%) black detectives; of 40 sergeants, there are only 7 (or 17.5%) black sergeants; there are only 5 black lieutenants; and of 7 deputy inspectors, there are no black deputy inspectors. According to the 1970 census, the population of Wayne County was 27% black.

96. In November 1974, plaintiffs Booth and Harris, other blacks, and the Guardians of Michigan, a member of plaintiff NBPA, filed an employment discrimination complaint in the United States District Court against various officials of Wayne County, *Reed v. Lucas*, 74–72798 (E.D. Mich. filed Nov. 18, 1974). In July, 1975, the Court granted plaintiff's motion for a preliminary injunction against the discriminatory promotion practices and ordered that "one of every

two persons promoted to detective and to deputy inspector must be a member of the black race."

97. Earlier, in April, 1975, one of the *Reed* plaintiffs filed with the defendants an LEAA charge of discrimination detailing the unlawful employment discrimination in the Wayne County Sheriff's Department. Upon information and belief, defendants refused to conduct an investigation into the charge filed against the Wayne County Sheriff's Department.

98. In August, 1975, plaintiff Booth, on behalf of himself and the Guardians of Michigan, of which he is Vice President, filed with the defendants another charge of discrimination against the Wayne County Sheriff's Department. Plaintiff Booth enclosed a copy of the Court's Memorandum Opinion and Order in *Reed v. Lucas*, *supra*, and urged the defendants to "immediately suspend all LEAA funding to the Wayne County Sheriff's Department and [to] immediately initiate proceedings to recover all unlawfully spent LEAA monies." Although the defendants docketed the charge, they have refused to investigate the charge [see ¶38 *supra*] and have refused to initiate proceedings to suspend, terminate or recover the LEAA funding. The defendants continue to provide uninterrupted LEAA funding to the Wayne County Sheriff's Department.

K. *Plaintiff McAllister*

99. Plaintiff Jennie A. McAllister has been discriminated against by the defendants through their provision of LEAA funding and refusal to terminate that funding to the Honolulu Police Department, despite the defendants' knowledge that the Department discriminatorily denied employment to plaintiff McAllister in violation of the defendants' Equal Rights Guidelines.

100. Plaintiff McAllister, who is studying toward her AA degree in police science, is working toward a brown belt in Karate, and stands 5'4" in height, was denied employment as a police officer with the Honolulu Police Department in June, 1974, solely because she did not meet the Department's discriminatory and unvalidated 5'8" height requirement.

The Honolulu Police Department employs approximately 1461 sworn police officers, of whom only 10 (or approximately .7%) are women.

101. In July, 1975, plaintiff McAllister filed a complaint in the United States District Court charging Honolulu officials with sex discrimination in violation of defendant LEAA's Equal Rights Guidelines, 38 Fed. Reg. 6415 (1973) reissued (1974), *McAllister* v. *Honolulu*, Civ. No. 75–248 (D. Haw., filed July 17, 1975).

102. Several years earlier, in 1973, in response to a sex discrimination charge filed with the defendants by Honolulu police officer Lucile Abreu, the defendants determined that the Department's minimum height requirement was discriminatory and not job related, and that the Department thus was not in civil rights compliance. The defendants, however, never terminated their LEAA funding to the Honolulu Police Department; instead, the defendants continued to provide uninterrupted LEAA funding.

VII. *IRREPARABLE INJURY*

103. Plaintiffs and all others similarly situated have suffered, and will continue to suffer, irreparable injury, economic loss, humiliation, and denial of their constitutional and statutory rights as a result of the defendants' failure to insure that LEAA funding is not used in a racially and sexually discriminatory manner by law enforcement agencies and as a result of the defendant's failure to enforce their constitutional and statutory civil rights obligations against law enforcement agencies. Plaintiffs have no adequate, plain or speedy remedy at law.

VIII. *FIRST CAUSE OF ACTION*

104. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plaintiffs and to the members of the class by § 518(c) and § 509 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. § 3766(c) and § 3757.

IX. *SECOND CAUSE OF ACTION*

105. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plain-

tiffs and to the members of the class by Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d *et seq.*

X. *THIRD CAUSE OF ACTION*

106. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plaintiffs and to the members of the class by Executive Orders 11246 and 11375.

XI. *FOURTH CAUSE OF ACTION*

107. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plaintiffs and to the members of the class by the Omnibus Crime Control and Safe Streets Act, as amended; by Title VI of the Civil Rights Act of 1964; by Executive Orders 11246 and 11375; and by the federal regulations promulgated pursuant thereto, 28 C.F.R. Part 42, and the Equal Rights Guidelines, 38 Fed. Reg. 6415 (1973), reissued (1974).

XII. *FIFTH CAUSE OF ACTION*

108. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plaintiffs and to the members of the class by the Due Process Clause of the Fifth Amendment to the United States Constitution.

XIII. *SIXTH CAUSE OF ACTION*

109. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plaintiffs and to the members of the class by 42 U.S.C. § 1981.

XIV. *SEVENTH CAUSE OF ACTION*

110. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plaintiffs and to the members of the class by 42 U.S.C. § 1985(3).

XV. *EIGHTH CAUSE OF ACTION*

111. Defendants, acting unconstituionally and in excess of their authority, have violated rights secured to the plain-

tiffs and to the members of the class by the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

XVI. *NINTH CAUSE OF ACTION*

112. Defendants, acting unconstitutionally and in excess of their authority, have violated rights secured to the plaintiffs and to the members of the class by 42 U.S.C. § 1983.

XVII. *PRAYER FOR RELIEF*

WHEREFORE, plaintiffs pray that this Court:

A. Assume jurisdiction of this cause.

B. Issue an order determining that this cause may proceed as a class action.

C. Enter a declaratory judgment declaring the acts, practices and omissions of the defendants to be unconstitutional and in excess of their authority, issue a preliminary and permanent injunction restraining the defendants from acting unconstitutionally and in excess of their authority, and issue a writ of mandamus requiring the defendants to act constitutionally and within their authority—all as mandated by § 518(c) and § 509 and the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. § 3766(c) and § 3757; by Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d *et seq.*; by Executive Orders 11246 and 11375; by the regulations promulgated pursuant to the foregoing, 28 C.F.R. Part 42, and the Equal Rights Guidelines, 38 Fed. Reg. 6415 (1973) reissued (1974); by the Due Process Clause of the Fifth Amendment to the United States Constitution; by 42 U.S.C. § 1981; by 42 U.S.C. § 1985(3); by the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution; and by 42 U.S.C. § 1983.

D. Issue a preliminary and permanent injunction and a writ of mandamus requiring the defendants:

1. To immediately suspend and terminate all LEAA funding to the Indiana State Police Department, the Wayne County Sheriff's Department, and all other law enforce-

ment agencies which have been judicially determined to be in violation of federal civil rights laws.

2. To immediately initiate administrative hearings to suspend and terminate LEAA funding to the Richmond Police Department, the Oakland Police Department, the Philadelphia Police Department, the Des Moines, Ames and Newton Police Departments, the New Orleans Police Department, the Portland Police Bureau, the Honolulu Police Department, and all other law enforcement agencies which have been or should have been determined by defendant LEAA to be in civil rights non-compliance and which have not voluntarily complied with the civil rights laws.

3. To immediately initiate proceedings to recover all LEAA monies unlawfully spent by the above law enforcement agencies.

4. To award LEAA funding only to those departments which have been determined by the defendants to be in civil rights compliance and to place all pending LEAA funding in escrow until there has been a determination of civil rights compliance.

E. Award to plaintiffs and to the members of the class, as against defendants Velde, Work, Rice and Levi, $10,000,000 in compensatory damages for injuries suffered by them and $10,000,000 in punitive damages for injuries suffered by them, as a result of defendants' willful and malicious refusals, which are unconstitutional and in excess of their authority as set forth above, to insure that LEAA funding is not awarded to governmental law enforcement agencies engaged in racially or sexually discriminatory employment practices, and as a result of defendants' willful and malicious refusals (which are unconstitutional and in excess of their authority) to enforce their federally mandated civil rights enforcement obligations.

F. Order the defendants to take such other appropriate and immediate action as may be necessary to redress the effects of the defendants' unlawful acts, practices and omissions as set forth herein.

G. Award plaintiffs costs and attorneys fees incurred in the prosecution of this action.

H. Retain jurisdiction of this action until the defendants have fully complied with the Orders of this Court.

I. Award such other and further relief as this Court may deem just and proper.

Dated: Washington, D.C.
January 2, 1976

Respectfully submitted,

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civ. No. 75–1444
Judge Corcoran

NATIONAL BLACK POLICE ASSOCIATION, ET AL.,
PLAINTIFFS,

-v-

RICHARD W. VELDE, ET AL., DEFENDANTS.

PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND A WRIT OF MANDAMUS

Upon the attached Affidavits and exhibits attached thereto, and upon all prior proceedings in this action, plaintiffs move this court for a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure and for a writ of mandamus pursuant to 28 U.S.C. § 1361 ordering the defendants, their agents and employees:

(1) To initiate administrative procedures to terminate LEAA funding to the Philadelphia Police Department and to other law enforcement agencies which the defendants have determined to be in civil rights noncompliance; and,

(2) To investigate complaints and to make determinations of civil rights compliance or noncompliance with regard to the Richmond California Police Department and to other law enforcement agencies regardless of the pendency of local proceedings against such law enforcement agencies.

Plaintiffs request an oral hearing on this Motion pursuant to Rule 1–9(e) of the Civil Rules of this Court.

/s/ _____
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KATHLEEN WILLERT PERATIS
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/s/ _____
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/s/ _____
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Dated: Washington, D.C.
January 14, 1976

UNITED STATES DISCTICT COURT
FOR THE DISTRICT OF COLUMBIA

Civ. No. 75-1444

Judge Corcoran

PROPOSED ORDER

NATIONAL BLACK POLICE ASSOCIATION, ET AL., PLAINTIFFS,

-v-

RICHARD W. VELDE, ET AL., DEFENDANTS.

Upon plaintiffs' motion for a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure and for a writ of mandamus pursuant to 28 U.S.C. § 1361, upon the affidavits and exhibits attached thereto, and upon all prior proceedings in this action,

THE DEFENDANTS, THEIR AGENTS AND EMPLOYEES ARE HEREBY ORDERED:

(1) To initiate administrative procedures to terminate LEAA funding to the Philadelphia Police Department and to other law enforcement agencies which the defendants have determined to be in civil rights noncompliance; and,

(2) To investigate complaints and to make determinations of civil rights compliance or noncompliance with regard to the Richmond California Police Department and to other law enforcement agencies regardless of the pendency of local proceedings against such law enforcement agencies.

SO ORDERED

Dated:

United States District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civ. No. 75-1444
Judge Corcoran

NATIONAL BLACK POLICE ASSOCIATION, ET AL.,
PLAINTIFFS,

-v-

RICHARD W. VELDE, ET AL., DEFENDANTS.

INDEX

AFFIDAVITS AND EXHIBITS IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND A WRIT OF MANDAMUS

Affidavits and Exhibits	*Consecutive Pages*
Affidavit of E. Richard Larson	1
Exhibit A: Letter dated May 28, 1974 to U.S. Representative Charles B. Rangel from LEAA Administrator Donald E. Santarelli describing the discriminatory and unlawful practices of the Philadelphia Police Department as determined by LEAA	7
Exhibit B: Letter dated January 10, 1975 to U.S. Representative Charles B. Rangel from LEAA Administrator Richard Velde describing LEAA's refusal to initiate administrative procedures to terminate LEAA funding to the Philadelphia Police Department	32
Exhibit C: LEAA documents and correspondence describing the discriminatory and unlawful practices of the Philadelphia Police Department, and LEAA's referral of the matter to the Civil Rights Division of the Department of Justice ...	43

Exhibit D: LEAA computer printout describing the eight million dollars in LEAA funding provided to the Philadelphia Police Department 53

Exhibit E: Administrative complaint filed with LEAA in April, 1973 against the Richmond Police Department 69

Exhibit F: Letter dated July 14, 1975 describing LEAA's inaction against the Richmond Police Department 89

Exhibit G: LEAA documents indicating the sixteen LEAA compliance reviews and the LEAA policy of deeming to be "Inactive" complaints against law enforcement agencies where litigation is pending or contemplated 91

Exhibit H: LEAA computer printout describing the half million dollars in LEAA funding provided to the Richmond Police Department 117

Affidavit of plaintiff Penelope Brace 126

Exhibit A: Letter dated February 4, 1974 to plaintiff Brace from LEAA Director of the Office of Civil Rights Compliance Herbert C. Rice advising that LEAA has referred the discriminatory and unlawful practices of Philadelphia to the Department of Justice 134

Affidavit of plaintiff Ollie Glover 135

Exhibit A: Administrative complaint filed with LEAA in July, 1975 against the Richmond Police Department 139

Exhibit B: Letter dated August 22, 1975 to plaintiff Glover from defendant Herbert C. Rice describing LEAA's refusal to assert jurisdiction over plaintiff Glover's administrative complaint . 142

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civ. No. 75-1444
Judge Corcoran

NATIONAL BLACK POLICE ASSOCIATION, ET AL.,
PLAINTIFFS,

-v-

RICHARD W. VELDE, ET AL., DEFENDANTS.

AFFIDAVIT

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

E. RICHARD LARSON, being first duly sworn, deposes and says:

1. I am one of the attorneys for the plaintiffs in the above-styled action. I submit this Affidavit in support of Plaintiffs' Motion for a Preliminary Injunction and a Writ of Mandamus.

2. Approximately one year ago I began to acquaint myself fully with the manner in which the defendants in this action carried out their federal civil rights enforcement mandate. During this investigation I obtained a variety of information and documents from government officials and civil rights lawyers, and through the Freedom of Information Act from the defendants.

THE DEFENDANTS' CIVIL RIGHTS ENFORCEMENT WITH REGARD TO THE PHILADELPHIA POLICE DEPARTMENT

3. On January 22, 1975, in the office of United States Representative Charles B. Rangel, I reviewed numerous

documents pertaining to the defendants' civil rights enforcement policies and practices.

a. In one document, a letter dated May 21, 1974 to Mr. Rangel from Donald E. Santarelli, then Administrator of LEAA, Mr. Santarelli noted that LEAA had found "systematic" sex discrimination in the selection, assignment, and promotion practices of the Philadelphia Police Department, and that LEAA had found "retaliation and harassment" by the Philadelphia Police Department against Plaintiff Penelope Brace because she had filed a complaint with LEAA. (See Exhibit A attached hereto, pages 19–21, *infra.*). Mr. Santarelli also stated that LEAA had "determined that many of the employment policies and practices of the Philadelphia Police Department were discriminatory based upon sex," but that "no formal administrative hearings have been held." Instead, on "January 28, 1974, a formal referral of this matter was made to the Civil Rights Division of the U.S. Department of Justice." (See Exhibit A attached hereto, pages 19–20, *infra.*).

b. In another document, a letter dated January 10, 1975 to Mr. Rangel from defendant Richard W. Velde, Administrator of LEAA, Mr. Velde noted that "no formal administrative hearing was held by LEAA," that "LEAA funds are still going to the Philadelphia Police Department," that indeed "two $1 million discretionary awards were recently made," and that "institution of proceedings to defer, suspend, or terminate funding seems inappropriate in this case [because] the impact upon all citizens of Philadelphia of withdrawing the additional police protection being provided was deemed to be on balance of more immediate consequence." (See Exhibit B attached hereto, pages 40–41 *infra.*).

4. On August 11, 1975, I served a Freedom of Information Act request upon defendant Herbert C. Rice, current Director of LEAA's Office of Civil Rights Compliance, requesting *inter alia* documents pertaining to LEAA's civil rights enforcement against the Philadelphia Police Department. Enclosed with a return letter dated August 21, 1975 from Mr. Rice were numerous such documents.

a. In one document, a letter dated January 29, 1974 to the Chief Deputy City Solicitor of Philadelphia from J. Stanley Pottinger, Assistant Attorney General of the United States, Mr. Pottinger noted that "the Attorney General had authorized the filing of a civil action against the Philadelphia Police Department." (See Exhibit C attached hereto, pages 46–47, *infra.*).

b. In another document, a mailgram dated February 1, 1974 to Philadelphia Police Commissioner Joseph O'Neill from defendant Herbert C. Rice, Mr. Rice formally confirmed: THAT LEAA HAS DETERMINED THAT THE PHILADELPHIA POLICE DEPARTMENT HAS FAILED TO COMPLY WITH THE LEAA EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS, 28 C.F.R. 42.201 ET SEQ., SUBPART D. THE LEAA HAS FURTHER DETERMINED THAT COMPLIANCE WITH THESE REGULATIONS CANNOT BE ACHIEVED BY VOLUNTARY MEANS. (See Exhibit C attached hereto, page 48, *infra.*).

c. In a third document, a letter eight months later, dated September 20, 1974, to the Managing Director of the City of Philadelphia from LEAA Regional Administrator Cornelius Cooper, Mr. Cooper stated that the "draft EEO program developed by the Philadelphia Police Department" violated eleven separate sections of the LEAA regulations, 28 C.F.R. §§ 42.301 *et seq.* (See Exhibit C attached hereto, pages 49–50, *infra.*).

d. In an apparently subsequent document, an undated letter to the Managing Director of the City of Philadelphia from defendant Charles R. Work, then LEAA's Deputy Director for Administration, Mr. Work stated that "continuation funding" of the two one million dollar grants had been "found to be programatically acceptable" and that "final approval of these grants is being considered in the context of satisfactory progress in the suit filed by the United States Department of Justice." (See Exhibit C attached hereto, pages 51–52, *infra.*).

5. On August 7, 1975, I served a Freedom of Information Act request upon defendant Richard Velde requesting *in-*

ter alia an enumeration of LEAA funding to the Philadelphia Police Department. Enclosed with a return letter dated August 21, 1975, was a computer printout of approximately 400 pages indicating in part that the Philadelphia Police Department had received in excess of eight million dollars in LEAA funding. (See Exhibit D attached hereto, pages 53–58 *infra.*).

6. During the fall and winter of 1975, I had several conversations with Nathan Dodell, attorney for the defendants, and with Andrew Strojny, LEAA's Chief of the Compliance Review Division. Both Mr. Dodell and Mr. Strojny have advised me that no administrative hearing procedures have been commenced against the Philadelphia Police Department to terminate LEAA funding and that LEAA grants have continued to be approved for the Philadelphia Police Department.

THE DEFENDANTS' CIVIL RIGHTS ENFORCEMENT WITH REGARD TO THE RICHMOND CALIFORNIA POLICE DEPARTMENT

7. In the Spring and Summer of 1975, I received from plaintiff Ollie Glover and from various organizations, including the Center for National Policy Review in Washington, D.C. and Public Advocates, Inc. in San Francisco, copies of the administrative complaint filed with the defendants in April, 1973, by a coalition of seven civil rights organizations against the Richmond Police Department and against eighteen other law enforcement agencies in California. That complaint outlined the discriminatory practices of the Richmond Police Department and of other police departments, and requested the "termination, or suspension as appropriate, of funding for all LEAA recipients" which were not in compliance with LEAA's civil rights regulations. (See Exhibit E attached hereto, pages 24, 69–88, *infra.*).

8. In July, 1975, I received a copy of a letter dated July 14, 1975 to defendant Herbert C. Rice from William H. Hastie, Jr., attorney for the complainants, wherein he recounted: that LEAA initially contacted all nineteen police

departments; that on-site investigations were conducted only upon the Berkeley, San Diego and San Francisco Police Departments; that subsequent negotiations occurred concerning only the San Francisco Police Department; and that no further action was taken by LEAA with regard to the other police departments—thus virtually no civil rights enforcement was undertaken with regard to the Richmond Police Department. (See Exhibit F attached hereto, pages 89–90, *infra.*).

9. In July, 1975, plaintiff Ollie Glover filed with the defendants a charge of discrimination against the Richmond Police Department. By letter dated August 22, 1975 to Sergeant Glover from defendant Herbert C. Rice, Mr. Rice stated that LEAA "will defer asserting of jurisdiction" in view of local litigation pending against the Richmond Police Department. (See Exhibits A and B attached to the Affidavit of Ollie Glover, pages 137–142 *infra.*).

10. Some months earlier, in January, 1975, as modified in April, 1975, I served a Freedom of Information Act request upon defendant Herbert C. Rice requesting *inter alia* documents pertaining to LEAA complaint procedures and to compliance reviews. Enclosed with a return letter dated May 19, 1975 from Mr. Rice were numerous such documents. (See Exhibit G attached hereto, pages 91–116, *infra.*).

a. The documents indicate the sixteen law enforcement agencies which have been subject to LEAA compliance reviews; the Richmond Police Department is not among such law enforcement agencies. (See Exhibit G attached hereto, pages 96–98, *infra.*).

b. The documents also indicate that administrative complaints, filed with LEAA against law enforcement agencies where local litigation is pending or even contemplated, are deemed "Inactive." (See Exhibit G attached hereto, pages 111–116, *infra.*).

11. On August 11, 1975, I served a Freedom of Information Act request upon defendant Richard Velde requesting *inter alia* an enumeration of LEAA funding to the Richmond Police Department. Enclosed with a return let-

ter dated August 21, 1975, was a computer printout of approximately 400 pages indicated in part that the Richmond Police Department had received in excess of half a million dollars in LEAA funding. (See Exhibit H attached hereto, pages 117–125, *infra.*).

THE DEFENDANTS' CIVIL RIGHTS ENFORCEMENT

12. In November, 1975, the United States Commission on Civil Rights published its report on Justice, LEAA and their civil rights enforcement policies and practices: *The Federal Civil Rights Enforcement Effort*, Vol. VI, To Extend Federal Financial Assistance, 270–373 (November, 1975). That report, too bulky to be attached hereto, is being filed with plaintiffs' motion papers.

/s/_____
E. RICHARD LARSON

Sworn to before me this day of January, 1976.

/s/_____
BELLA GREENE
Notary Public

LARSON AFFIDAVIT
EXHIBIT A

UNITED STATES DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
Washington, DC 20530

May 28, 1974

The Honorable Charles B. Rangel
House of Representatives
Washington, D.C. 20515

Dear Congressman Rangel:

This is in further response to your recent letter regarding the civil rights compliance programs of the Law Enforcement Assistance Administration.

Our responses to your nine questions follow. Please let me know if you wish us to furnish additional information.

1. *On February 10, 1972 a United States District Court in Alabama ordered the Alabama State Police to hire one black trooper for every white trooper hired until the force was 25 percent black. In December 1973 the Southern Poverty Law Center filed a brief in that U.S. District Court charging that the Alabama State Police have failed to follow the court order and that only 25 blacks have been hired. Of that number only 15 remain on the force.*

(a) *Is LEAA, either through SPA grants or "Discretionary Grants," still funding the Alabama State Police?*

The LEAA Grants Management Information System indicates that the Alabama Department of Police Safety has received $402,617 in block grants funds in FY 1972 and FY 1973. No discretionary grants were made.

(b) *If so, is any review of this police force's compliance with the 1972 court order under way?*

The Court is reviewing the compliance of the Alabama State Police with its order. LEAA's Office of Civil Rights Compliance is in touch with Civil Rights Division, Department of Justice as to the progress of

the litigation and are presently awaiting a copy of the most recent Circuit Court decision for review.

(c) *If the Alabama State Police is found by the court not to be in compliance with the earlier court order will LEAA terminate its funding to the Alabama State Police?*

If the Court should find noncompliance with its orders, LEAA will, of course, review the matter, to determine whether deferral, suspension, or termination of funding would be an appropraite remedy.

2. *It is our understanding that in late 1973 LEAA sent copies of its EEO–4 form to state and local police and sheriff's departments to be filled out and returned to LEAA's office in Washington. Will you make copies of the completed EEO–4 forms in your possession available to interested congresspersons and organizations upon request?*

In 1972 and 1973 LEAA sent its 2000/1 Form to state and local police and sheriff's departments to be filled out and returned to LEAA. The Form was somewhat similar to the EEOC Form EEO–4. We have made copies of the completed forms available upon request. However, please note that the reporting form was only sent to funded agencies as of June 1972, and that the response to two mailings of the form was incomplete.

3. *Would you please let me know how many pending complaints of racial or sex discrimination LEAA has at present, with the name of the law enforcement agency complained about. It will not be necessary for you to give me the name of the complaining person, or organization, if your office keeps the name of the complainant confidential. However, if the name of the complaining person or organization is divulged to the agency complained of, I would like you to give that name to me as well.*

OCRC is investigating allegations of discriminatory employment practices in each of the cases listed in attachment #1. Pursuant to an intra Department of Justice agreement, police brutality and correctional institution complaints are initially processed by the Civil Rights Division. Complaints of discrimination against educational institutions are

referred to the Office of Civil Rights of HEW for initial investigation. When investigative findings of discrimination are made, that Division will coordinate with OCRC on obtaining compliance. Similar procedures are followed where complaints are referred to OCR at DHEW for investigation (medical and educational institutions).

Disclosure of the name of the complaining party in these cases might prejudice on-going negotiations seeking amicable resolution of the complaint. Further, it seems reasonable that the disclosure of the name of the person complaining to the agency complained about, does not relieve LEAA of the responsibility of protecting the general confidence of the identity of persons filing complaints with it.

4. *In your response to my earlier inquiries concerning LEAA's civil rights enforcement effort (your response dated September 14, 1973) you stated that you were analyzing the impact of police services in fourteen municipal police departments, a sheriff's department, and a state highway patrol. Would you please send me your survey forms used for this study along with the study's findings, identifying the specific police agencies with the appropriate findings.*

The Office of Civil Rights Compliance conducted civil rights compliance reviews in fifteen police agencies. We have indicated on the following pages several examples of recommendations we have made relating to allocation of services, where it appeared that some action by the agency in question would be necessary for the agency to voluntarily come into compliance.

Because negotiations are now pending with the agencies listed, we do not feel free to identify the particular agency in which specific recommendations have been made.

Some of the reviews in question were with staff assistance from the Civil Rights Division of the Department of Justice.

Compliance Reviews of Police Agencies
Conducted by OCRC

1. Dallas, Texas, Police Department
2. St. Louis, Missouri, Police Department

3. Cleveland, Ohio, Police Department
4. Portland, Oregon, Police Department
5. Baltimore, Maryland, Police Department
6. Phoenix, Arizona, Police Department
7. New Orleans, Louisiana, Police Department
8. Atlanta, Georgia, Police Department
9. South Carolina State Highway Patrol
10. Clark County, Nevada, Sheriff's Department
11. San Diego,California, Police Department
12. Newark, New Jersey, Police Department
13. Denver, Colorado, Police Department
14. Berkeley, California, Police Department
15. San Francisco, California, Police Department

Below are listed sample recommendations made in some of these compliance reviews:

1. *Delivery of Services*

Based on the data we have received, some disparity was noted between districts for the reported police arrivals (TC6 calls) for the call categories of burglary, injured person, criminal assault and felony in progress. However, as noted in a letter from the Police Department, firm conclusions cannot be drawn because departmental procedures have not required notification to the dispatcher of all arrivals at the scene.

Therefore, we suggest that the Police Department gather and review the data necessary to ascertain if in fact, inequitable treatment it accorded some segments of the population.

. . .

2. *Community Services*

The team reviewed a manpower allocation plan of the Department and determined that services were responsive to area needs as determined by numbers of requests for police services. The response times, as we were able to interpret them, indicated that the community is receiving equitable

services, and that in fact, higher crime areas tend to receive quicker responses to requests for service.

It is our understanding that the Department is elaborating a program to more accurately interpret services by analyzing tires of reception, dispatch, arrival of vehicle and termination of service. We encourage the rapid implementation of this program.

. . .

3. *Delivery of Services*

A disparity in response times was not noted for different areas of the community, in part, because the Department does not record the times the request for service is received.

. . .

4. *Services*

It is our understanding that the deployment of services by the Police Department has been determined by population density, crime rate, and the number of calls for service. We further understand that as data accumulates, the Police Department will be better able to ensure that requests for services throughout the city are responded to in an equitable manner.

Recommendation

We urge the Police Department to continue its analysis and evaluation of data, as it is accumulated, to determine if services are equitably provided.

. . .

5. *Delivery of Services to Community*

An analysis of services performed by the Police Department was limited because of the lack of recorded data and an overtaxed police force.

Presumably, the current resource allocation study will result in a more effective and equitable distribution of services. We recommend that as part of present and future resource allocation studies, provisions be made to record data in such a manner that it can be verified that areas of the

community identifiable by their racial or ethnic composition are receiving equitable services.

. . .

6. *Service to Community*

Lack of records made it difficult for the review team to make a determination that police services are equitably administered to the community. Therefore we recommend:

A. That the Police Department develop and maintain information that would indicate the response time in individual districts, to determine if services are equitably distributed throughout the city. This data would be a natural part of an improved dispatching and record keeping system understood to be presently under consideration.

B. That records be developed that will make it possible to determine that the quality of services is equitable. This probably could best be accomplished by developing a procedure under which the call for service card is related to the report and resolution records.

. . .

7. *Service to Public*

Police services to the community appear to be equitably administered under the new Plan. As this Plan is adopted, or should you adopt a different patrol system, we recommend that you give priority to the evaluation of services to the community to ensure equity in the provision of police service to the public by race and ethnicity.

. . .

8. *Service to Public*

Based on the data available to us, a comprehensive analysis of selected areas, representing diverse socio-economic levels, ethnic and racial groupings, indicate that police services were equitably administered. We base this conclusion on a computerized study of response times, utilizing statistical methods to analyse the variances between request time and dispatch time for the various communities. However, a conclusive evaluation of services cannot be

made because there is no way to protect the number of calls which might be made were it not a fact that the communities have no representative at the switchboard to receive their calls.

. . .

We are requesting that within thirty days of receipt of this letter, you forward us your plan for carrying out the recommendations outlined in this letter, including a reasonable time frame for implementation. Upon receipt of your plan, we will set mutually agreeable goals which would then be reviewed for progress in late 1974.

Members of our team are available for consultation and review of these recommendations, if requested. For this purpose, your representative may wish to contact the OCRC staff. I am, of course, available to discuss this matter with you.

Sincerely,

HERBERT C. RICE, Director
Office of Civil Rights Compliance

* * * * *

Please note in reviewing these recommendations that the OCRC Review Staff is aware that a rapid response time in getting to a minority neighborhood may evidence an overzealous enforcement policy. We have attempted to determine if this is the case through community interviews among minorities.

5. *In March 1973 your agency promulgated two administrative guidelines governing equal employment opportunity. These guidelines required LEAA grantees to, (1) eliminate discriminatory height requirements unless they could be shown to be necessary for successful job performance, and (2) required that LEAA grantees adopt an EEO plan.*

(a) *What follow up studies has LEAA undertaken to assure that all grantees are in conformity with the guidelines?*

(b) *What procedures has LEAA adopted to assure that law enforcement agencies that have failed to eliminate discriminatory height requirements, and/or*

failed to file EEO programs and are not certified as such are not receiving LEAA grants?

5. (a & b)

LEAA has provided technical assistance to state planning agencies, regional planning units and recipient agencies to assist them in preparation of appropriate EEO programs. Upon conduct or reviews or investigations of complaints we make recommendations concerning minimum height requirements, when appropriate.

Beyond this, the LEAA Office of Inspector General routinely checks on the existence and scope of EEO programs in the discharge of its audit function.

Attachment #2 is a copy of training materials used in the training of criminal justice planning unit and operational personnel. As indicated in the attached program, instruction was given at seven regional and state meetings in civil rights compliance matters affecting the LEAA program, with particular emphasis on the development of EEO programs in accordance with the LEAA guidelines. Further, LEAA will soon issue a manual, designed as a technical assistance aid in the development of EEO programs.

Beyond this, the Marquette Center for Criminal Justice Agency Organization and Minority Employment Opportunities, and the International Association of Official Human Rights Agencies (IAOHRA), provide through LEAA funded projects, technical assistance to state planning agencies, regional planning units, and state and local criminal justice agencies, and technical assistance in civil rights compliance problems arising under the LEAA program.

Taken together, LEAA feels it has undertaken and is implementing a comprehensive program to assure compliance with the criminal justice planning and operational community with the civil rights compliance requirements of the LEAA program, particularly those relating to the LEAA Guidelines requiring the preparation of Equal Employment Opportunity Programs as a condition of the award of LEAA funds.

Affected recipient agencies are not required to file their EEO programs with either the SPA or with LEAA. They must certify that they have prepared such programs prior to receipt of new awards of LEAA monies, either block or discretionary. It is the obligation of the SPA or the LEAA regional office to determine that the certificate is on file prior to funding.

5. (c) *Would you forward to me a list of law enforcement agencies that are scheduled for civil rights compliance reviews in fiscal year 1974, if such a list exists?*

The only law enforcement agency scheduled for review in FY 1974 is the Norfolk Police Department. A compliance review of that Department is presently being conducted by an OCRC review team.

5. (d) *Would you forward to me a list of law enforcement agencies for which you have done civil rights compliance reviews and your findings in such reviews of those agencies?*

In the response to Question Number Four we have listed police agencies where reviews have been conducted. We are presently completing the review in the Norfolk, Virginia, Police Department. In addition, we have conducted reviews in the Rhode Island Department of Corrections and the Union Correctional Institution in Raiford, Florida.

5. (e) *How many administrative and/or court proceedings have been brought against violators of either guideline?*

None.

5. (f) *How many law enforcement agencies have complied with these guidelines after threats by LEAA to commence fund termination proceedings?*

Threats by LEAA to begin fund termination proceedings have not been necessary because voluntary compliance with the guidelines has been achieved after discussion and negotiation with the law enforcement agencies.

To the best of our knowledge, recipient agencies have prepared EEO plans to the extent that they have adequate data to do so.

We have no specific knowledge as to the scope of compliance with the height guideline. Following complaint investigations or compliance reviews, a number of recipient law enforcement agencies have lowered significantly, or dropped entirely minimum height requirements.

6. *On December 21 I was informed that LEAA had made a grant to the City of Baltimore, Maryland public schools for $54,000. The purpose of this grant was allegedly to administer a test to grammer school children to determine their possible propensity to become juvenile delinquents.*

With respect to Baltimore Public School Project, it is our understanding that the Maryland SPA granted the Baltimore School Board $54,000 to run a project called Early Identification of Pre-delinquent and Delinquent Behavior. The main purpose of this project was to develop behavior problems which can be related to subsequent pre-delinquency and/or delinquency.

The project's staff included four professionals with considerable experience and a clerk stenographer. Basically, the Rosenburg First Grade Screening Test, the Pupil Behavior Inventory Test, and the California Test of Personality were administered to children throughout the school system. The premise was that through the combination of objective screening devices and standardized tests, a system could be devised which would predict school maladjustment and pre-delinquent behavior with an approximate 75 percent accuracy. The project was scheduled to expire last December 31. The school board asked for refunding, but it was denied.

6. (a) *Does LEAA have any other grants for such studies currently runing? Where?*

VISA, or Volunteers Influencing Student Achievement, is a $120,000 project funded by the California SPA with block grant funds "to help juveniles who develop any type of personal problem which appears and affects their school work." The program operates only in the Placentia School District. There are 20 schools in the program. Parents must sign an authorization form.

We have been able to uncover no other program similar in thrust to the Baltimore project.

6. (b) *Has LEAA given any similar grants to educational institutions or school districts in the past? Where? Are there any reports?*

There are no records indicating that LEAA has given any similar grants to educational institutions or school districts in the past.

6. (c) *Does LEAA have any guidelines specifically governing this type of grant?*

LEAA has not promulgated guidelines specifically governing this type of grant. It should be noted that the 1973 amendments to the Omnibus Crime Control and Safe Streets Act, forbid grantees and others from transmitting research or statistical information to unauthorized persons and provide for a $10,000 maximum fine (see Section 524).

7. *How has LEAA's civil rights compliance staff been expanded since your last report to me (September 14, 1973)?*

The Office of Civil Rights Compliance has increased its full-time staff from 11 to 14. Our full-time temporary staff is always complemented by students in criminal justice schools, and this figure varies between 4 and 10 at various times during the year. At present we have 3 full-time employees detailed to us who, based on FY 1974 allocation, will become permanent members of our staff.

The employees by title, race, ethnicity, and sex are detailed below:

Full-Time Permanent

Position	*Race*	*Sex*
1. Director	W	M
2. Attorney-Advisor (Civil Rights)	W	F
3. Attorney-Advisor (Civil Rights)	W	M
4. Attorney-Advisor (Civil Rights)	W	M
5. Supervisor, Complaint Resolution	B	M
6. Supervisor, Compliance Reviews	W	M
7. Grants and Contracts Officer	B	M
8. Supervisor, Contract Compliance (Executive Orders)	B	M
9. Secretary (Steno)	W	F

Full-Time Permanent Position	*Race*	*Sex*
10. Clerk (Typing)	B	F
11. Clerk-Typist	B	F
12. Program Assistant	B	F
13. Staff Aid	B	F
14. Civil Rights Compliance Specialist	B	M
Full-Time Temporary		
15. Clerk-Typist	B	F
16. Staff Aid	W	F
17. Clerk Typist	Chicano	F
18. Clerk-Typist	B	F
19. Legal Assistant	B	M
Full-Time Detailed to OCRC		
20. Civil Rights Compliance Specialist (Corrections)	W	F
21. Legal Assistant	Chicano	M

7. (a) *How many persons in LEAA Regional Offices are assigned to monitor grantees civil rights compliance and compliance with the EEO guidelines?*

The Office of Civil Rights Compliance has not, to date, decentralized. Therefore, there are no compliance personnel within our regional office.

However, regional office personnel assist us as needed in our compliant and compliance reviews.

8. *How many outstanding LEAA grants (either through SPA's or "Discretionary Grants") are going to predominately black colleges and universities?*

(a) *What percent of the total grants to universities does this represent?*

Of the approximately $42.9 million available for students in the Law Enforcement Education Program (LEEP) in Fiscal 1974, $1,119,526 has gone to a total of 40 predominantly black colleges and universities

Racial data on LEEP students from the inception of LEAA in June 1969 to November 1973, the most recent information available, is as follows:

Black	16,699
White	151,944
Other	2,051
Unknown	8,603

The reason for the unknown category is because the applicant has failed to answer the question on the application.

LEAA's Grant Management Information System has been able to identify 229 grants of LEAA assistance to colleges and universities for Fiscal 1973 and 1974 to date. Of this number, three grants were made to predominately black colleges and universities. While this includes all categorical grants made by LEAA, it does not include all subgrants made by the states during this period because they have not been reported to LEAA by the state planning agencies. Both the categorical grants and the subgrants are for various purposes and are not limited to providing educational assistance to a particular student.

9. *On or about February 19, 1974 the Civil Rights Division of the Department of Justice filed suit charging the Philadelphia, Pennsylvania Police Department with maintaining policies and practices that discriminate against women in job opportunities. The press release announcing the filing of this suit noted that it was filed at the request of LEAA which investigated the original compliants.*

(a) *Would you please detail the LEAA administrative procedure that proceeded the filing of this suit.*

On August 4, 1973 LEAA received a compliant from a Philadelphia policewoman, Officer Penelope Brace, alleging discrimination based on sex in the employment practices of the Philadelphia Police Department. The Office of Civil Rights Compliance conducted an investigation into the allegations and determined that many of the employment policies and practices of the Philadelphia Police Department were discriminatory based on sex.

In December, 1973, discussions began between the Office of Civil Rights Compliance and representatives of the Police Department for the purpose of determining what remedial action was appropriate and necessary to eliminate those discriminatory policies and practices.

These discussions continued in January 1974, until actions of the Philadelphia Police Department convinced LEAA that the noncompliance which had been determined by our investigation could not be corrected by informal means within the meaning of 28 C.F.R. 42.206 and 28 C.F.R. 42.108. On January 28, 1974, a formal referral of this matter was made to the Civil Rights Division of the U.S. Department of Justice. From the point on, LEAA played no role in the events leading up to the formal filing of a suit on February 19, 1974.

9. (b) *Was there a formal administrative hearing held by LEAA, leading to fund termination proceeding before this suit was brought by the Justice Department?*

A formal administrative hearing was not held. Instead, this case was referred to the Civil Rights Division of the U.S. Department of Justice for litigation to enforce the specific assurances of non-discrimination given by the Philadelphia Police Department to LEAA pursuant to 28 C.F.R. 42.204 (a)(1).

9. (c) *Is the Philadelphia Police Department currently receiving any LEAA funding? What's LEAA policy with respect to any application for funding received from the Philadelphia Police Department during the pendency of the lawsuit?*

As stated in response to question 9(b), no formal administrative hearings have been held, and LEAA has not resorted to the procedures for termination of funding. Thus, block grant funding to the Philadelphia Police Department from the Governor's Justice Commission has not been affected. Currently, however, discretionary grant applications by the Philadelphia Police Department are being considered in the context of a settlement of the issues raised in this case.

9. (d) *Would you please forward me copies of the LEAA investigative report on the sexually discriminatory practices of the Philadelphia Police Department?*

During the investigation of this complaint, a large file was generated. While this file was the basis for the referral to the Civil Rights Division, a formal "report" was never compiled. However, the following is a composite list of the findings of our investigation:

I. *Systematic Discrimination*

We found that the employment policies and practices of the Philadelphia Police Department were discriminatory based on sex in the following areas—

a. *Selection.* There was only a definite and very small number of positions within the Police Department which could be filled by women. At the time of our investigation, there were approximately 68 positions open to women officers on a force of over 7,000 police officers.

b. *Assignment.* All female officers were routinely assigned to the Juvenile Aid Division, the unit within the Police Department which deals primarily with juvenile problems.

c. *Promotion.* There was a very limited number of ranking positions to which a female officer could be promoted. Women could hold a command position only within the Juvenile Aid Division, which, at the time of our investigation, allowed for a total of approximately five female ranking officers.

II. *Retaliation and Harassment*

Our investigation also found cause to believe that Officer Brace was harassed and retaliated against because she had filed a complaint. This finding was based on information indicating that shortly after Officer Brace filed her complaint, she was:

(a) transferred to the District farthest from her home;

(b) ordered to report for a psychiatric re-evaluation;

(c) put under surveillance for approximately 34 days based on an anonymous letter; and

(d) brought before a Police Board of Inquiry on disciplinary charges stemming from the results of the surveillance.

Until the filing of the complaint, Officer Brace had received consistently superior performance ratings.

Your interest in the programs of the Law Enforcement Assistance Administration is appreciated.

Sincerely,

DONALD E. SANTARELLI
Administrator

Enclosures

Attachment #1

RESPONDENTS

1. St. Louis, Missouri, Police Department (race)
2. Lafayette Parish, Louisiana (1) Police Jury and (2) Sheriff's Office (race)
3. Kansas City, Kansas, Police Department (race)
4. Department of Safety, Tennessee—State Police (race)
5. Rochester, New York, Police Department (sex)
6. Birmingham, Alabama, Police Department (race)
7. Jacksonville, Florida, Police Department (race)
8. Austin, Texas, Police Department (national origin)
9. Anniston, Alabama, Police Department (race)
10. Marlboro County, South Carolina, Sheriff's Dept. (referred to Office of Institutions and Facilities, Civil Rights Division, for litigation in April, 1974) (race)
11. Bessemer, Alabama, Police Department (race)
12. Nassau County, New York, Police Department (race)
13. City of Meridian, Mississippi, Police Department (race)
14. Dallas, Texas, Police Department FY 1973 (race)
15. South Carolina Department of Corrections (race)
16. California Department of Corrections (national origin)
17. Madison, Wisconsin, Police Department (race)
18. Tampa, Florida, Police Department (sex)
19. Missouri Highway Patrol (race)
20. Columbia, South Carolina, Police Department (race)
21. Mississippi State Division of Law Enforcement (race)
22. Wheeling, West Virginia, Police Department (race)

23. Seattle, Washington, Police Department (sex)
24. Oakland, California, Police Department (sex)
25. Grenda, Mississippi, Sheriff's Department (race)
26. Grenda, Mississippi, Police Department (race)
27. Hawaii County, Hawaii, Police Department (religion)
28. Honolulu, Hawaii, Police Department (sex)
29. New Orleans, Police Department (sex)
30. New Orleans, Police Department (race)
31. Alexandria, Louisiana Police Department (race)
32. Dallas Co. Sheriff's Department (sex)
33. Indiana State Prison (referred to OCRC Review Division) (race and sex)
34. Illinois State Police (sex)
35. New York State Troopers (sex)
36. Monroe County, New York, Civil Service Commission (sex)
37. Marion, North Carolina Police Department (race)
38. Illinois State Police (race)
39. Nineteen California Cities (referred to OCRC Review Division) (race, national origin and sex)
40. Philadelphia, Police Department (national origin)
41. Louisiana Office of State Examiner of Municipal Fire and Police (race)
42. Brunswick, Georgia, Police Department (sex)
43. Central Missouri State University (referred to HEW, Office for Civil Rights) (sex)
44. Prince Georges County, Maryland Police Department (race)
45. Western Illinois University referred to HEW, Office of Civil Rights (race)
46. Louisville Division of Police (race)
47. Louisville Division of Police (race)

48. Create Two Temporary District Courts for Dallas County (race and sex)
49. San Jose, California, Police Department (national origin)
50. Charles County, Maryland, Sheriff's Department (sex)
51. Union Correctional Institution, Ratford, Florida (race)
52. Denver, Colorado, Police Department (race)
53. Lafayette Parish Sheriff's Department FY 1974 (race)
54. Pennsylvania State Police Academy (sex)
55. Coastal Area Planning and Development Commission, Brunswick, Georgia (race and sex)
56. Metropolitan Police Department, Washington, D.C. (race and sex)
57. Kansas City, Missouri, Police Department (national origin)
58. City of Champaign, Illinois, Board of Fire and Police Commission (race)
59. Philadelphia, Police Department (referred to Civil Rights Division for litigation) (sex)
60. Coastal Area Planning and Developing Commission, Brunswick, Georgia (race and sex)
61. Illinois Department of Corrections (sex)
62. Atlanta, Georgia Police Department (sex)
63. DeKalb County, Georgia, Police Department (sex)
64. Gwinnett County, Georgia, Police Department (sex)
65. Prisoners Rights Project, Boston, Massachusetts (race)
66. Hillsborough County, Florida, Sheriff's Department (sex)

67. Plant City, Florida, Police Department (sex)
68. Temple Terrance, Florida, Police Department (sex)
69. Willingsboro, New Jersey, Police Department (race)
70. Metro. Criminal Justice Center, Drake University—referred to HEW Civil Rights (sex)
71. Orange County California, Criminal Justice Council (race)
72. Charleston, West Virginia, Police Department (race)
73. Dallas-Fort Worth Regional Airport, Department of Public Safety (race)
74. Jacksonville, Florida, Sheriff's Department (race)
75. Lee County, Florida, Sheriff's Department (sex)
76. Detoxification Center, San Diego, Police Department (sex)
77. Metropolitan, Washington, D.C., Police Department (sex)
78. Daugherty County Police Department (race)
79. Spokane, Washington, Police Department (sex)
80. Sarasota County, Florida, Sheriff's Department (sex)
81. Spokane County, Washington (sex)
82. Santa Clara County, California, Sheriff's Department (national origin)
83. City of Berkeley, California, Police Department (sex)
84. City of Rochester, Rochester, New York Police Department (race)
85. Pennsylvania State Police (race)
86. Georgia Department of Offender Rehabilitation (race and sex)
87. Georgia Department of Public Safety (race and sex)

88. Denver, Colorado Police Department (national origin and sex)
89. Maryland State Penitentiary (race)
90. Prince George County, Maryland Sheriff's Department (sex)
91. Chicago, Illinois Police Department (referred to Civil Rights Division in conjunction with litigation pending) (sex)
92. Santa Barbara County, California, Sheriff's Department (race and sex)
93. Beaumont, Texas, Police Department (national origin)
94. Houston, Texas, Police Department (national origin)
95. Fairfax County, Virginia, Police Department (sex)
96. El Paso County, Texas, Jail (national origin)
97. New Jersey State Troopers (sex)
98. Missouri Law Enforcement Assistance Council (race)
99. Northwest Missouri Law Enforcement Assistance Council (race)
100. Berkeley, California Police Department (referred to Review Division of OCRC and litigation by private individuals) (race, sex and national origin)
101. Austin, Texas, Police Department (national origin and sex)
102. Hendersonville, Tennessee, Police Department (sex)
103. New York City, Nw York, Police Department (race)
104. Arizona State Prison (race)
105. University of Illinois at Chicago (referred to HEW, Office for Civil Rights) (race)
106. Florida Highway Patrol (national origin and sex)

107. Texas Department of Public Safety (national origin)
108. Austin, Texas, Police Department (sex)
109. Chicago, Illinois, Police Department (referred to Civil Rights Division in conjunction with litigation (sex)
110. Sheriff's Office of Kay County, Oklahoma (national origin)
111. Los Angeles, California Police Department (national origin)
112. Rolland Park, Kansas Police Department (national origin)
113. Fairway, Kansas Police Department (national origin)
114. State of Wisconsin, Higher Educational Aids Board (referred to HEW Office of Civil Rights) (race)
115. New Orleans, Louisiana Police Department (race and sex)
116. Vineland, New Jersey Police Department (sex)
117. Travis County, Texas Sheriff's Department (race and sex)
118. Georgia Bureau of Investigation (race)
119. Dubuque County, Iowa Board of Supervisors *et. al.* (race)
120. Illinois, Mental Health Police (referred to Office of Civil Rights, HEW) (race)
121. Los Angeles, California Police Department (race and sex)
122. Civil Service Board of Jacksonville *et. al* (national origin and sex)
123. Tuscaloosa, Alabama, Police Department (race)
124. Tuscaloosa, Alabama Juvenile Court (race)
125. Norwich, Connecticut, Police Department (sex)
126. Petersburg, Virginia Bureau of Police (race)

127. Tallahassee, Florida, Police Department (sex)
128. Leon County, Florida, Sheriff's Department (sex)

LARSON AFFIDAVIT
EXHIBIT B

January 10, 1975

The Honorable Charles B. Rangel
House of Representatives
Washington, D.C. 20515

Dear Congressman Rangel:

This is in response to your most recent letter regarding the civil rights compliance activities of the Law Enforcement Assistance Administration. Our answers to your ten questions follow.

1. In response to Question 1, designated Part C, you indicate that LEAA will review a finding of non-compliance by the Court of Appeals regarding an order for the Alabama State Police to achieve a ratio of State Troopers of 25 percent Black and 75 percent White. As I am sure you are aware, on April 19, 1974, the Court of Appeals for the Fifth Circuit Court found non-compliance by the State of Alabama. What action is LEAA taking in response to this finding?

More specifically, will there be an administrative review conducted by LEAA preparatory to the termination of funding to the State of Alabama?

Answer:

The only issue before the Court of Appeals at the time of its April 1974 decision was whether the District Court had abused its discretion in setting a quota hiring requirement upon the Alabama Highway Patrol. They found that, under the facts of the case, the finding was appropriate and necessary. The Court of Appeals did not find that the highway patrol was out of compliance with the lower court order. The case has been remanded to the District Court for a further order.

A hearing was held in the U.S. District Court on September 26. and we expect a further order soon. We are in contact with attorneys from the Employment Section of The Civil Rights Division. Department of Justice, who are actively involved in the prosecution of this case.

2. In response to Question 2 you indicate an "incomplete" response to LEAA's mailing of the EEO–4 forms to state and local police and sheriff's departments. Will you take any action against those funded police agencies who have not responded to your EEO-4 forms?

Answer:

LEAA does not distribute the EEO-4 forms. A similar form was issued by LEAA in 1972 to measure the utilization of minorities and women in state and local police departments. Most of these forms which were not returned would have come from small departments. Virtually, all large departments have responded.

3. In response to Question 3 you provide a list of cases in Attachment 1. Again, without necessarily disclosing the actual parties involved, I would like you to inform me of the resolution of the complaints which LEAA has been investigating. Specifically, I would like to know when the investigation results in a finding for the complainant and the resulting action taken by LEAA.

Answer:

The following is a summary, taken from the list of cases we previously provided to you, of the actions undertaken by OCRC where we concluded that the facts would sustain the complainant, or where we uncovered other problems of non-compliance

1. St. Louis, Missouri, Police Department—race

We found that the background factors utilized in rejecting the complainant were discriminatorily applied. The respondent, upon our request, agreed to reconsider the complainant, not utilizing those factors. After a significant number of months, the complainant failed to reduce his weight to an acceptable level, and his blood pressure was not within acceptable measures. We, therefore, removed the case from our active files. Systemic problems are being addressed by the Review Division of OCRC.

8. Austin, Texas, Police Department—National Origin

We disagreed with the complainant's rejection by the oral examination board. We have requested that he be hired, with back pay, and that systemic reforms be made of the police department's hiring practices to insure equal employment opportunities for minorities and females. At this date, the department has not been responsive. We have now referred the matter to the Civil Rights Division of the Department of Justice for consideration of appropriate legal proceedings to secure compliance.

10. Marboro County, S.C., Sheriff's Department—race.

After referral to the Civil Rights Division for litigation, respondent immediately integrated its jail facilities. The Civil Rights Division of the Department of Justice is monitoring for continued compliance.

27. Hawaii County, Hawaii, Police Department—Religion.

We found that complainant, a Seventh-Day Adventist, was terminated because of his religious beliefs and practices. We unsuccessfully sought his reinstatement. Religion is not covered by Section 515(c)(1) of the Omnibus Crime Control and Safe Streets Act and we have now referred the matter to the Civil Rights Division of the Department of Justice for consideration of appropriate legal proceedings to secure compliance.

48. Create two temporary District Courts for Dallas County, Texas—race.

We did not find that the individual complainant was not hired because of race or sex. However, we determined that the respondent failed to affirmatively recruit and inform the minority community of job vacancies and, therefore, we required specific modifications in its employment practices to rectify these problems. We are also monitoring the results of those changes. The first monitoring report was received recently and will be evaluated.

55. Georgia, Coastal Area Planning and Development Commission—race and sex.

In coordination with several other Federal agencies which provide funds to the respondent, we are seeking back pay for the complainant, who does not wish reemployment. We also are seeking to obtain affirmative recruitment of minorities.

59. Philadelphia, Police Department—sex.

As reported in earlier correspondence, the matter was referred to the Civil Rights Division of the Department of Justice, which instituted legal proceedings. The matter is presently before the court.

60. Georgia Coastal Area Planning and Development Commission—race and sex.

Results are the same as in case number 55, except that we are seeking reinstatement for the complainant.

68. Temple Terrace, Florida, Police Department—sex.

The complaint was filed by the National Organization of Women and did not involve any specific complainant. We found that the respondent needed to make some of the questions neuter on its application form. This has been done by the respondent.

75. Lee County, Florida Sheriff's Department—sex (employment), race (facilities).

Subsequent to our initial investigation of sex discrimination in the respondent's employment practices, we discovered that the jail facilities are partially segregated by race. We are currently attempting to secure voluntary compliance in both these areas.

4. In response to my Fourth Question, you list police agencies in which compliance reviews have been conducted by the Office of Civil Rights Compliance and indicate that recommendations have been made regarding the allocation of services by police departments, while stating that you feel you are not free to provide information in the nature of recommendations made. I would like to receive the survey forms that are used by LEAA in its compliance reviews of

police agencies so that I might know what questions are asked and what areas are being investigated. Further, it appears to me that your policy of not making service discrepancies public is counter-productive in your current negotiations. It seems to me that the threat of publicized communities would be a tremendous bargaining asset as I am sure no police agency wants to be publicized as discriminating in regard to its allocation of manpower and services to particular communities within a city.

I would hope that you would reconsider this policy and provide me with information on the recommendations that have been made to specific police departments. Further, I believe non-disclosure of this information is inconsistent with the Freedom of Information Act and could be obtained through administrative action. In your list of sample recommendations made in compliance reviews to police forces, specifically in Subsections 5 and 6, it is stated that the lack of police department records makes it impossible for LEAA to make a determination and therefore no recommendation can be set forth. Why is there a dependence on police department records? LEAA has a well funded research capacity and the ability to investigate the situation itself. Is not an investigation conducted by LEAA to determine the facts where adequate police department records do not exist?

Answer:

I have enclosed a copy of the LEAA "Civil Rights Compliance Review Manual for Police Agencies," which contains the survey forms you requested.

LEAA does not have the internal capacity to collect the civil rights compliance data for every department in which it does a compliance review where the department itself may not collect data. OCRC has, in the process of compliance reviews, conducted community interviews and taken statistical samples where data is lacking and cannot be generated by the police department.

5. Your response to my question denoted 5A indicates that LEAA has initiated no action itself regarding providing technical assistance to state planning agencies to assist them in preparation of appropriate EEO programs. Is

LEAA contemplating its own compliance program to determine whether height guidelines are being complied with by recipient agencies?

Answer:

As indicated in our response to your previous letter, LEAA has provided a mechanism to furnish expert technical assistance in equal opportunity matters to criminal justice agencies through a contract with the International Association of Official Human Rights Agencies (IAOHRA) and a grant to the Marquette University Center for Criminal Justice Agency Organization and Minority Employment Opportunities. Enclosed for your information is a copy of LEAA's recently published Equal Employment Opportunity Program Development Manual.

LEAA makes recommendations concerning minimum height requirements, when appropriate, as part of the complaint investigation or compliance review procedure.

6. I am amazed by your response to Question 5C in which you indicate that the only law enforcement agency scheduled for a compliance review in FY 1974 is the Norfolk Police Department. I understand that only two compliance reviews have been made in the last three years by the Law Enforcement Assistance Administration. This record does not appear to be one of vigorous civil rights compliance and I would like an explanation as to why only one compliance review of a police department has been scheduled for 1974 and why there has been such a limited number of compliance reviews by the Office of Civil Rights Compliance. I would also like to receive a copy of the compliance reviews which have been completed.

Answer:

LEAA recently has focused its efforts on pre-award compliance reviews in order to prevent funding of agencies which practice discrimination. As a result, staff time to conduct systemic compliance reviews of recipient agencies has been limited.

However, LEAA does have a record of vigorous civil rights compliance activity, exemplified by systemic compli-

ance reviews in 18 major criminal justice agencies. Other systemic reviews will be conducted during fiscal year 1975.

Negotiations for voluntary compliance are continuing in some of the agencies where we have conducted systemic reviews. We have not made copies of documents relating to these reviews available to the public because we believe that to do so might prejudice our negotiations.

A copy of the LEAA-funded study of minority employment practices of the Chicago Police Department is enclosed.

With the exception of Chicago, the copies of compliance reviews which you requested cannot be supplied because they do not exist. The typical systemic compliance review involves the collection of a great deal of raw data, from which are drawn specific recommendations for corrective actions to the department in question. No report analyzing the information gathered on a particular department ordinarily is produced.

However, when voluntary compliance is achieved or legal proceedings to enforce compliance initiated, data relating to the departments involved is released to the public.

7. In response to Question 7 regarding the expansion of the Civil Rights Compliance staff you provided me with a list of employees by title, race, ethnicity, and sex. Although I did not request this information, I welcome it for it provides the basis for another question. It appears to me that the Office of Civil Rights Compliance needs a compliance investigation of its own. It appears from your list that the top four positions in the office are held by whites, that there are no Black attorneys working in the Office of Civil Rights Compliance Review and that out of the positions which I can identify as professional, only three are held by Blacks. Out of the twelve non-professional positions, however, eight are held by Blacks. Have efforts been made to hire Black attorneys in the Office of Civil Rights Compliance? If there is an affirmative action plan for equal employment opportunity for the LEAA I would like to receive a copy.

Answer:

I have enclosed a copy of the LEAA affirmative action plan. Two of the Blacks of OCRC's professional staff are law graduates, and one of these is awaiting the results of the District of Columbia bar examination. The OCRC staff has been integrated thoroughly on the basis of race, sex, and ethnicity since it was formally organized as an office in May 1971. Blacks are well represented in the various levels of supervision and responsibility within OCRC.

8. Your response to Question 7A indicates that there is no ongoing civil rights compliance activity in the LEAA regional offices. Even if the Office of Civil Rights Compliance is not physically located in these offices is there not an LEAA official with responsibility for civil rights compliance on a day-to-day basis?

Answer:

Centralization of coordination efforts in civil rights matters at the regional level through a single individual has not always worked well. Some offices designate individuals to coordinate compliance activities, but most coordination of this character is carried on by the LEAA state program representative for the state in question.

9. Your response to Question 8 indicates that grants provided by LEAA directly to colleges and universities are not being given to predominantly Black colleges and universities. Out of 229 grants provided in FY 1973 and 1974 to date only three grants have been received by Black universities. Such a record is bitter irony given the fact that many of these grants have been given to study conditions in the Black community. Once again we see the phenomenon of white scholars being given federal money to study Black folks. This situation is intolerable and must be investigated so that Black colleges and universities who have the greatest expertise can get a fair share of research money which would, of course, be of tremendous assistance to them in providing their educational function for the Black community and would at the same time provide better quality of study and recommendation for the federal government for our policy determinations. I would like to receive

a description of the purpose of each of the 229 grants that have been awarded and the name of the universities to which they have been awarded.

Answer:

Enclosed is the most recent computer printout from LEAA's Grant Management Information System disclosing 594 Grants to educational institutions. The reason for the large increase in the number of grants is the result of continuous updating of the data base. A large part of this increase is because grantor agencies participating in the LEAA programs often wait to the conclusion of a fiscal year before reporting certain types of grants.

The only program available to retrieve the information you requested is to ask for all grants going to educational institutions. In addition to grants to colleges and universities, grants to 23 other types of educational institutions are included. They are noted with a red asterisk. The 571 grants to colleges and universities fund a variety of projects such as campus security, evaluation of criminal justice programs, graduate research fellowships, and student internship programs. Twenty of these grants went to 12 predominantly Black schools. They are noted with a green asterisk. The lack of participation of these schools can be explained in part by the fact that many of them do not offer graduate programs.

The printout lists only a small percentage of the student internship grants. A request for an intership grant is normally initiated by the student. The increase in the percentage of Black college students going to predominantly white institutions may partially account for the low number of internship grants to predominantly Black institutions.

10. In regard to your response to my Question 9 concerning the investigation of the Philadelphia Police Department, it is my understanding that the LEAA statute, as amended by the Congress in 1973, requires a termination of funding to agencies for which has been found a noncompliance which cannot be corrected by informal means within the meaning of 28 C.F.R. 42.206 and 28 C.F.R. 41.108. Yet in your response to number 9C, you indicate

that no formal administrative hearings have been held and LEAA has not resorted to the procedures for termination of funding. In failing to terminate funding to the police department are you not presently in violation of the law?

Answer:

No formal administrative hearing was held by LEAA leading to fund cutoff before the Philadelphia suit was brought by the Justice Department. A court action was brought for three reasons:

(i) In January 1974, LEAA was informed by the City of Philadelphia Solicitor's Office that Officer Penelope Brace, the individual who had filed a complaint with LEAA and the Equal Employment Opportunity Commission, would be removed from the Philadelphia Police Force in a matter of days. LEAA had reason to believe that Officer Brace's removal was ordered in retaliation for her filing complaints with LEAA and the Equal Employment Opportunity Commission. Only a court ordered injunction, which the Department of Justice ultimately obtained, could have prevented this firing and kept Officer Brace on the police force.

(ii) The novelty of the question of utilization of women in police service was and still is in need of resolution in a court of law. *Reed* v. *Reed*, 401 U.S. 71 (1971) extended coverage of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution to women. This coverage was broadened to include discrimination in employment in *Frontiero* v. *Laird*, 411 U.S. 677 (1973), but not Federal Court above the District Court level has yet considered comprehensively the critical issue as to whether sex is a valid criterion for selecting persons for police work from a Fourteenth Amendment—equal protection—point of view, or from the point of view of statutory provisions such as Section 518(c)(1), which are derived from the Fourteenth Amendment. LEAA thought it desirable to obtain a more authoritative ruling of the Federal courts on this issue before attempting to enforce compliance and causing disruption in funding the Philadelphia Police Department which could result from an erroneous application of the law.

(iii) The extent to which employment discrimination is covered by Section 518(c) of the Omnibus Crime Control and Safe Streets Act is open to varying interpretations. LEAA did not rely on Section 518(c) in referring the case to the Civil Rights Division. LEAA relied on its equal employment opportunity regulations, 28 C.F.R. 42.301 *et seq.*, which require LEAA to pursue court action and not administrative action to resolve matters of employment discrimination.

LEAA funds are still going to the Philadelphia Police Department. Two $1 million discretionary awards were recently made to continue the funding of two task force patrols in the city's high-crime areas. LEAA originally deferred funding of these proposals to assure appropriate progress in the satisfactory resolution of the litigation.

With the complainant, Penelope Brace, reinstated to her position with the Philadelphia Police Department, and the difficult issues of discrimination because of sex being considered in an orderly manner by the court, institution of proceedings to defer, suspend, or terminate funding seems inappropriate in this case.

The impact upon all citizens of Philadelphia of withdrawing the additional police protection being provided was deemed to be on balance of more immediate consequence. These grants were specifically oriented to provision of better police protection in the high crime areas of the city and the effect of withdrawal of this protection would impact harshly on the citizens least able to protect themselves.

The funds in question were applied for in October 1973. The Philadelphia Regional Office of LEAA agreed at that time to pay the police department's pre-agreement expenses if the awards were eventually granted. The City has expended virtually all of the $2 million. Our decision to fund is not an endorsement of the Police Department's present employment practices. If the court determines that the Philadelphia Police Department is engaging in discrimination because of sex in its employment practices, LEAA will review its grants to Philadelphia in order to determine if further proceedings to defer, suspend, or terminate LEAA

funding to the City of Philadelphia would assist in achieving full compliance with the court order.

LEAA's view of Section 518(c)(1) of the Act is that it applies to employment matters where the primary purpose of a program or activity, funded under the Omnibus Crime Control and Safe Streets Act, is employment related or where discrimination in the employment practices of a recipient of LEAA funds could cause a beneficiary to be excluded from an LEAA-funded activity on the ground of race, color, national origin, or sex. Whenever the Administrator determines that a State government or unit of local government has failed to comply with Section 518(c)(1) of the Act and the Governor of a State fails to secure compliance, initiation of an administrative hearing under Section 509 of the Act is required. However, where the Administration is of the view that it does not have sufficient evidence or legal guidance before it to determine that there is failure to comply with Section 513(c)(1) but only has reason to believe that a violation of Section 518(c)(1) but only has reason to believe that a violation of Section 513(c)(1) has occurred, it is proper under Section 513(c)(3) to ask the Attorney General to bring a civil action in the appropriate United States District Court.

You will also be interested to know that early in calendar year 1975 we plan to submit for internal review by LEAA managers and Department of Justice officials regulations which would implement Section 518(a) of the Act. External review by the civil rights community and criminal justice planning and operational groups will also be sought.

Your continued interest in these matters and in the programs of the Law Enforcement Assistance is appreciated.

Sincerely,

Richard W. Velde
Administrator

Enclosure:

LARSON AFFIDAVIT
EXHIBIT C

AMERICAN CIVIL LIBERTIES UNION

22 East 40th Street
New York, N.Y. 10016 (212) 725-1222

August 11, 1975

Mr. Herbert C. Rice, Director
Office of Civil Rights Compliance
Law Enforcement Assistance Administration
United States Department of Justice
Washington, D.C. 20530

Re: FOIA Request

Dear Herb:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, I hereby request copies of the following documents:

1. All documents, memoranda and letters to the City of Philadelphia, to the Philadelphia Police Department, to their representatives, and to the chief executive of the State of Pennsylvania or his/her designee, indicating OCRC's belief that the Philadelphia Police Department is not or was not in civil rights compliance with the Safe Streets Act, Title VI, and/or LEAA regulations and guidelines.

2. All documents, memoranda, and letters to the City of Portland [Oregon], to the Portland Police Department, to their representatives, and to the chief executive of the State of Oregon or his/her designee, indicating OCRC's belief that the Portland Police Department is not or was not in civil rights compliance with the Safe Streets Act, Title VI, and/or LEAA regulations and guidelines.

3. All post-investigation documents, memoranda, and letters to an LEAA recipient or subgrantee, to its representatives and to the chief executive of a State or his/her designee, indicating OCRC's belief that the recipient or subgrantee is not or was not in civil rights compliance with the Safe Streets Act, Title VI, and/or LEAA regulations and guidelines.

Mr. Herbert C. Rice
Washington, D.C.

You may bill me at this office for the cost of reproducing materials containing the above information.

Sincerely yours,

E. Richard Larson
National Staff Counsel

UNITED STATES DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE
ADMINISTRATION
WASHINGTON, D.C. 20531

August 21, 1975

Mr. E. Richard Larson
National Staff Counsel
American Civil Liberties Union
22 East 40th Street
New York, New York 10016

Re: *FOIA Requests*

Dear Mr. Dick:

Pursuant to your FOIA request, dated August 11, 1975, and received in our offices on August 14, 1975, enclosed with this letter are copies of pertinent correspondence concerning Philadelphia and Portland, Oregon. I believe this covers the first two items in your request.

Concerning the third item in your request of that date, it is my understanding that you temporarily withdrew that request in a telephone conversation with Mr. William K. Triplett of our office on August 18, 1975. We will attempt to clarify that request at our meeting on August 21, 1975.

As Mr. Triplett further advised, the requested information regarding the results of the 2000/1 survey is available for your inspection in our offices at your convenience.

Sincerely,

/s/_____

HERBERT C. RICE, *Director*
Office of Civil Rights Compliance

Enclosure:

January 29, 1974

Mr. Sheldon Albert
Chief Deputy City Solicitor
HEW Department, City of Philadelphia
15th Floor, Municipal Services Building
Philadelphia, Pennsylvania

Dear Mr. Albert:

This is to confirm the understandings you and I have reached in our two telephone conversations of this date. As I informed you this morning, the Attorney General has authorized the filing of a civil action against the Philadelphia Police Department to enforce the prohibitions of Title VII of the Civil Rights Act of 1964, as amended, and the Regulations of the Law Enforcement Assistance Administration and the Department of Justice, against discrimination in employment on account of sex. I further advised you that we would be willing to delay the filing of the complaint the Attorney General has signed while the parties attempt to achieve a voluntary resolution of the matters raised in the complaint by negotiating a satisfactory consent decree, but that such willingness was contingent on our receipt of reliable assurance that, during the pendency of our negotiations, no adverse personnel action of any sort would be taken by the Philadelphia Police Department against Policewoman Penelope Brace.

You have now informed me that you are authorized to and do make such assurance. In reliance on that assurance I have agreed to delay filing the complaint in this action, and to meet with them, February 4, 1974 in Philadelphia to begin settlement discussions.

I believe this letter fully and accurately reflects the substance of the understandings we have searched today. I would appreciate it if you would confirm that understanding, either by return letter to me, or by signing and returning to me one copy of this letter.

I look forward to meeting you on Monday and believing what I hope will be fruitful negotiations.

/s/_____
J. STANLEY POTTISGER
Assistant Attorney General
Civil Rights Division

By:

/s/_____
DENIS T. GORDON
Deputy Chief, Employment Section

cc: Donald Santarelli, Administrator
Law Enforcement Assistance Administration

WESTERN UNION MAILGRAM

LEAA United States Department of Justice care Herbert C. Rice

Washington DC 20530

This mailgram is a confirmation copy of the following message:

2023863241 TDMT Washington DC 176 01-28 0526P EDT
PMS Commissioner Joseph O'NEill
8th and Race St
Philadelphia PA

This is to advise you that discussions with Sheldon Albert, Chief Deputy City Solicitor relating to the complaint of Police Officer Penelope Brace filed with LEAA on August 4, 1973, have failed to result in a commitment by the City of Philadelphia to take significant steps to achieve voluntary compliance with the Civil Rights Regulations Affecting recipients of funds from LEAA

This will also formerly advise you that LEAA has determined that the Philadelphia Police Department has faild to comply with the LEAA Equal Employment Opportunity Regulations, 28 C.F.R. 42.201 et seq., Sub Part D The LEAA has further determined that compliance with these regulations cannot be achieved by voluntary means.

Accordingly this matter has been referred to The Civil Rights Division of the Department of Justice for consideration of the institution of appropriate legal proceedings in accordance with the Law and Regulations of the Department of Justice and the Law Enforcement Assistance Administration

Herbert C. Rice Director Office of Civil Rights Compliance Law Enforcement Assistants Administration United States Department of Justice Washington DC

This is a confirmation copy by mailgram.

September 20, 1974

Mr. Hillel S. Levinson
Managing Director
City of Philadelphia

Dear Mr. Levinson:

In acknowledging receipt of your letter of September 19, 1974, in reference to the development of EEO programs for the City's Police and Prisons systems, I thought it appropriate to again identify the relevant sections of the LEAA guidelines that must be adhered to within the 60 day time limit agreed upon.

You should be aware however, that the stated deficiencies are related only to the draft EEO program developed by the Philadelphia Police Department reviewed by LEAA and SPA staff. Since no representatives were available from the City's Prison system, this team was not able to review any of their related materials and their program must be in accordance with the guideline in its entirety.

A copy of the Guideline 28 C.F.R. 42.301 et. seq. subpart E, that these deficiencies will be itemized from was given to your Deputy, Mr. Campbell, Mr. Jones of Personnel Department and Chief Inspector Craig of the Police Department.

The identified deficiencies include the following sections of the guideline.

> 42.303.(b); 42.303(c)(2); 42.303(c)(3); 42.304(c); 42.304(d) 42.304(g); 42.304(g)(2); 42.304(h); 42.304(i); 42.305; and 42.305

Notwithstanding the fact that the Police Department and the Prison system promulgate and maintain programs as required by the guideline, the City must be aware that any additonal units of government which seeks Federal funding must prepare similar programs as a pre-requisite for funding.

On or about November 18, 1974, we will again visit your office for a review of the EEO programs from the Police Department and Prison systems consistent with our agree-

ment. Please advise if these programs will be at a location other than your office for review.

Again, please call upon the Regional LEAA Office within the time limit, if assistance is needed.

Sincerely,

CORNELIUS M. COOPER
Regional Administrator

Mr. Hillel S. Levinson
Managing Director
City of Philadelphia
Room 1620, Municipal
Services Building
Philadelphia, Pennsylvania 19107

Re: 72-DF-0029
72-DF-0038

Dear Mr. Levinson:

The application for continuation funding for the two successful projects referenced above have been processed by the Philadelphia Region. Both have undergone preliminary review and have been found to be programmatically acceptable.

At this time, final approval of these grants is being considered in the context of satisfactory progress in the suit filed by the United States Department of Justice alleging systemic discrimination because of sex in the employment and personnel practices of the Philadelphia Police Department, and also alleging harassment and retaliation in the termination of Officer Penelope Brace. As you may be aware, that litigation developed out of an investigation conducted by LEAA's Office of Civil Rights Compliance. That investigation surfaced problems of non-compliance with the civil rights laws and regulations affecting LEAA recipients, and subsequent negotiations were unsuccessful in securing a satisfactory resolution of these issues.

It is my understanding that the part of the lawsuit concerning Officer Penelope Brace has been substantially settled by virtue of a decision by the Philadelphia Civil Service

Commission, but that a date has not been set for a trial on the merits regarding the general issue of discrimination because of sex in the Police Department. I have been assured that the Civil Rights Division of the Department of Justice will proceed expeditiously in this matter, and I hope that you can impress upon the City Solicitor's office the importance of moving quickly toward a resolution of this case.

I hope that this letter has clarified the present status of the above-referenced grants. If you desire any further assistance, Mr. Cornelius K. Cooper, Administrator of the Philadelphia Regional Office will be glad to assist you.

Sincerely,

Charles R. Work
Deputy Administrator
for Administration

August 7, 1975

Mr. Richard Velde, Administrator
Law Enforcement Assistance Admin.
United States Department of Justice
Washington, D.C. 20530

Re: *FOIA Request*

Dear Mr. Velde:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, as amended, I hereby request an enumeration of all (A) LEAA discretionary funding, and (B) LEAA block funding for fiscal years (1) 1972, (2) 1973, (3) 1974, (4) 1975, and (5) 1976, which has been made to the following law enforcement agencies as LEAA recipients or subgrantees:

(a) All state police departments.
(b) Atlanta [Georgia] Police Department.
(c) Ames [Iowa] Police Department.
(d) Bridgeport [Connecticut] Police Department.
(e) Cleveland [Ohio] Police Department.
(f) Des Moines [Iowa] Police Department.
(g) Detroit [Michigan] Police Department.
(h) Honolulu [Hawaii] Police Department.
(i) Las Vegas [Nevada] Police Department.
(j) New Orleans [Louisiana] Police Department.
(k) New York [New York] Police Department.
(l) Newton [Iowa] Police Department.
(m) Oakland [California] Police Department.
(n) Philadelphia [Pennsylvania] Police Department.
(o) Portland [Oregon] Police Department.
(p) Richmond [California] Police Department.
(q) St. Louis [Missouri] Police Department.
(r) Wayne County [Michigan] Police Department.

Your may bill me at this office for the cost of reproducing materials containing the above information.

Thank you for your assistance.

Sincerely,

E. RICHARD LARSON
National Staff Counsel

August 21, 1975
E. Richard Larson
American Civil Liberties Union
22 East 40th Street
New York, New York 10016

Dear Mr. Larson:

Enclosed you will find the information you requested from the LEAA Grants Management Information System (GMIS). I hope you will find this information both useful and informative.

The information you are receiving is the most current information from the GMIS data base. However, the data is in a constant process of update, and as of the present time all awards of FY 74 funds have not been entered into the data base. Since some states have been updated and others have not, it is impossible to say that the information is accurate as of a certain date. If you have any questions, please contact Suzanne Grundstrom, of the Information Retrieval Staff, at 202/376-3886.

Sincerely,

DELPHINE F. DAY
Systems Analyst
Information Retrieval Staff

Enclosure

P.S. The cost of this information is $137.72; you will be sent a bill at a later date.

LARSON AFFIDAVIT
EXHIBIT D

SUMMARY OF AWARDS BY FUND TYPE AND CRIMINAL JUSTICE COMPONENTS
(In thousands of dollars as of 7/31/75)

	Police		Courts		Corrections		Total Police Courts, Corrections	Obligation Authority	% Obligation Authority Represented
1969									
Block	18,285	79%	1,891	8%	2,932	13%	23,098		
Non Block	4,490	66%	496	7%	1,844	27%	6,830		
Total	22,775	76%	2,377	8%	4,776	16%	29,928	60,000	50%
1970									
Block	110,972	63%	14,473	8%	50,039	29%	175,484		
Non Block	24,599	62%	4,505	11%	10,718	27%	39,822		
Total	135,571	63%	18,978	9%	60,757	28%	215,306	267,937	80%
1971									
Block	177,203	50%	40,248	11%	135,851	39%	353,302		
Non Block	35,618	34%	10,148	10%	59,193	56%	104,959		
Total	212,821	46%	50,396	11%	195,044	43%	458,261	528,954	87%
1972									
Block	201,851	46%	72,528	17%	159,488	37%	433,867		
Non Block	64,282	42%	22,901	15%	64,601	43%	151,784		
Total	266,133	46%	95,429	16%	224,089	38%	585,651	698,723	84%
1973									
Block	216,455	47%	72,731	16%	170,708	37%	459,894		
Non Block	69,943	38%	33,186	18%	80,740	44%	183,869		
Total	286,398	44%	105,917	17%	251,448	39%	643,763	841,166	77%
1974									
Block	163,319	44%	76,151	20%	134,617	36%	374,087		
Non Block	54,592	32%	21,796	13%	94,086	55%	170,474		
Total	217,911	40%	97,947	18%	228,703	42%	544,561	870,526	62%
1975									
Block	33,330	40%	15,615	19%	36,611	33%	81,556		
Non Block	59,174	34%	36,139	21%	77,758	45%	173,071		
Total	93,504	39%	51,754	20%	104,369	41%	254,627	862,171	30%
Total									
Block	927,415	49%	293,627	15%	688,246	36%	1,901,288		
Non Block	312,698	38%	129,171	15%	388,940	47%	830,809		
Total	1,240,113	45%	422,793	16%	1,069,186	39%	2,732,097	4,129,477	66%

STATE: PENN

Best Copy Available

CITY: PHILADELPHIA

TITLE:
CLOSED CIRCUIT TELEVISION COMMUNICATIONS SYSTEM STUDY

AWARD AMOUNT:
$19,733

FUNDING HISTORY:
0 69 DF $19,733

GRANTEE NAME AND ADDRESS:
CITY OF PHILADELPHIA
POLICE DEPARTMENT
FRANKLIN SQUARE
PHILADELPHIA PA 19106

GRANT NO.:
69DF030015

PROJECT DIRECTOR:
CAPTAIN JOHN CRAIG

PROJECT SUMMARY:
THIS IS AN AWARD IN THE AMOUNT OF $19,733 TO THE PHILADELPHIA POLICE DEPARTMENT TO COVER, IN PART, THE FIRST PHASE OF A FOUR-PHASE PROGRAM THAT WILL PROVIDE THE DEPARTMENT WITH A CLOSED CIRCUIT TELEVISION SYSTEM (CCTV). THE TOTAL COST TO COMPLETE THIS PHASE IS $93,311 ($56,000 LEAA AND $37,311 LOCAL). THE BALANCE OF THE REQUIRED SUPPORT WILL BE CONSIDERED BY LEAA AFTER CONGRESSIONAL ACTION ON FY 1970 APPROPRIATION HAS BEEN CONCLUDED. THE FIRST PHASE CONSISTS OF: 1. TECHNICAL EVALUATION OF THE MOBILE SUB-SYSTEM REQUIREMENTS (VAN & HELICOPTER); 2. DETERMINATION OF TRAINING SUBSYSTEM REQUIREMENTS AS THEY MAY RELATE TO CCTV; 3. STUDY AND EVALUATION OF SURVEILLANCE CCTV TECHNIQUES; 4. DETERMINATION OF COSTS FOR THE ENTIRE SYSTEM TO INCLUDE EQUIPMENT, INSTALLATION, FACILITY CONSTRUCTION AND SYSTEM DESIGN. THIS AWARD IS ONE OF A SERIES OF GRANTS MADE PURSUANT TO THE PROGRAM ENTITLED "SPECIAL GRANTS FOR CRIME CONTROL PROJECTS IN LARGEST CITIES" ANNOUNCED AND INCLUDED IN THE LAW ENFORCEMENT ADMINISTRATION'S SPA MEMO NO. 14 (MAY 10,1969).

TITLE:
PHILA. POLICE DEPT., CHEMICAL LABORATORY SECTION

AWARD AMOUNT:
$112,881

FUNDING HISTORY:
0 72 DF $112,881

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPARTMENT
HEADQUARTERS, FRANKLIN SQ.
PHILADELPHIA PA 19106

GRANT NO.:
72DF030444

PROJECT DIRECTOR:
VINCENT CORDOVA

PROJECT SUMMARY:
THE PHILADELPHIA POLICE DEPARTMENT PROPOSES TO ACQUIRE THE MODERN EQUIPMENT AND ADDITIONAL PERSONNEL WHICH WILL ENABLE THE CHEMICAL LABORATORY SECTION TO OPERATE AT THAT PEAK OF EFFICIENCY NECESSARY FOR IMPROVED LAW ENFORCEMENT. UNDER THIS PROGRAM, ALL UNITS WITHIN THE CHEMICAL LAB SECTION WOULD BE EXPANDED, EITHER WITH EQUIPMENT/PERSONNEL OR BOTH. FOR INSTANCE, THE MOBILE CRIME DETECTION UNIT WOULD BE EXPANDED BY 10 MEN AND TWO MOBILE CRIME LABS ENABLING THAT UNIT TO DECENTRALIZE ITS OPERATION. THIS INCREASE IN CAPABILITY WOULD NECESSARILY RESULT IN AN INCREASE IN EVIDENTIARY MATTER TO BE ANALYZED NECESSITATING AN INCREASE IN

THE CAPABILITY OF THE ANALYSIS SECTION. PAST EXPERIENCE HAS SHOWN THAT, OF THE CRIME SCENES SERVICED BY THE MOBILE UNIT, APPROXIMATELY 90% WERE CLEARED BY ARREST OR INVESTIGATION. ADDITIONALLY, NEIGHBORING JURISDICTIONS WHICH NOW REQUEST SERVICE, FREE OF CHARGE, COULD BE ACCOMMODATED MORE QUICKLY AND THE SERVICE REQUESTS OF THE PHILADELPHIA POLICE DEPARTMENT WOULD NOT BE APPRECIABLY CURTAILED DUE TO LACK OF MANPOWER OR EQUIPMENT. THE EVALUATION OF THIS PROJECT WILL BE ACCOMPLISHED THROUGH COMPARISON OF THOSE SERVICE STATISTICS DEVELOPED DURING THIS GRANT PERIOD WITH STATISTIC AVAILABLE FROM PRIOR YEARS.

TITLE:
NORTH CENTRAL/ NORTHWEST PHILADELPHIA STRIKE FORCE

AWARD AMOUNT:
$217,795

FUNDING HISTORY:
0 71 DF $217,795

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT
8TH & RACE STS
PHILADELPHIA, PA 19106

GRANT NO.:
71DF031127

PROJECT DIRECTOR:

PROJECT SUMMARY:
THIS DEMONSTRATION PROJECT PROVIDES FOR A STRIKE FORCE OF 64 PLAINCLOTHES POLICEMEN TO OPERATE IN NORTH CENTRAL AND NORTHWEST PHILADELPHIA (22ND, 23RD AND 39TH POLICE DISTRICTS). THE GOAL OF THE STRIKE FORCE TEAM IS TO STOP THE INCREASE IN BURGLARY AND ROBBERY IN THE PROJECT AREA DURING THE PROJECT YEAR. PHILADELPHIA PLANS TO CREATE A MOBILE POLICE DISTRICT TO BETTER UTILIZE ONE 64 MEMBER STRIKE FORCE TEAM. THE PLAINCLOTHSMEN WILL BE RESPONSIBLE ONLY FOR PREVENTIVE PATROL IN UNMARKED VEHICLES. INVESTIGATION OF KNOWN OFFENDERS OR SUSPECT INDIVIDUALS, AND SURVEILLANCE OF BUSINESS AND RESIDENTIAL PROPERTIES TO REDUCE BURGLARY AND ROBBERY. THE STRIKE FORCE MEMBERS WILL NOT BE USED FOR PURPOSES OTHER THAN THE REDUCTION OF IMPACT CRIME. THE WORK SCHEDULE OF THE TEAM WILL BE HIGHLY FLEXIBLE SO THAT THE TEAM CAN BETTER RESPOND TO CHANGING PATTERNS OF CRIME AND SPECIFIC PROBLEM AREAS AS THEY ARE IDENTIFIED. LEAA PROJECT FUNDS WILL BE UTILIZED FOR THE SALARIES AND SUPPORT EQUIPMENT OF THE 64 POLICE OFFICERS.

TITLE:
CRIME REDUCTION PROGRAM FOR WEST PHILADELPHIA

AWARD AMOUNT:
$1,000,000

FUNDING HISTORY:
0 72 DF $1,000,000

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT
8TH & RACE STREETS
PHILADELPHIA PA 19106

GRANT NO.:
72DF030029

PROJECT DIRECTOR:
JOHN CRAIG

PROJECT SUMMARY:
THE GOAL OF THIS DEMONSTRATION PROJECT IS THE REDUCTION OF STRANGER -TO-STRANGER CRIME, ESPECIALLY BURGLARY AND ROBBERY, IN WEST PHILADELPHIA. DURING THE 12 MONTH LIFE OF THE PROJECT, THE BURGLARY AND ROBBERY INCREASE IN WEST PHILADELPHIA IS EXPECTED TO BE HALTED. THE 63 VETERAN POLICE OFFICERS FUNDED BY THIS PROJECT WILL BE DIVIDED INTO A GANG CONTROL TEAM (16 MEN), A NARCOTICS TEAM (10 MEN), A TRU ANCY TEAM (12 MEN), AND A TACTICAL UNIT TEAM (25 MEN). THESE FOUR TEAMS ARE EXPECTED TO REDUCE BURGLARIES, ROBBERIES AND OTHER STRANG ER-TO-STRANGER CRIMES BY CONCENTRATION OF PATROL AND UTILIZATION OF RESOURCES AND SPECIAL TECHNIQUES. POLICE RECRUITS WILL BE HIRED T O REPLACE THE VETERAN OFFICERS ASSIGNED TO THIS PROJECT. LEAA PROJ ECT FUNDS ARE FOR THE SALARIES AND SUPPORT EQUIPMENT FOR THE 63 POL

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LEAA NON-BLOCK GRANTS
TO CITY LEVEL ENFORCEMENT AGENCIES, SPECIFIC CITIES

TITLE:
CRIME ANALYSIS TEAM

AWARD AMOUNT:
$200,000

FUNDING HISTORY:
0 72 DF $200,000

GRANTEE NAME AND ADDRESS:
CITY OF PHILADELPHIA
15TH & JFK BLVD
PHILADELPHIA PENNIA 19107
MU 6414C

GRANT NO.:
72DF030030

PROJECT DIRECTOR:
HILLEL S LEVINSON

PROJECT SUMMARY:
THE PRIMARY OBJECTIVE OF THE CRIME ANALYSIS TEAM IS AN OVERALL REDUCTION IN CRIME, ESPECIALLY STREET CRIME AND BURGLARY. THIS PLANNED REDUCTION IN CRIME IS TO BE EFFECTED THROUGH THE DEVELOPMENT OF CRIME SPECIFIC PROGRAMS. THE CRIME ANALYSIS TEAM (C.A.T.) WILL GATHER AND CORRELATE PERTINENT INFORMATION AND STATISTICS. THIS DATA WILL THEN BE ANALYZED AND EVALUATED TO IDENTIFY SPECIFIC PROBLEM AREAS AND TO DEVELOP RECOMMENDATION FOR THE STRUCTURE OF PROGRAMS TO DEAL WITH THE PROBLEMS IDENTIFIED. THE C.A.T. WILL ALSO DEVELOP NEW PROJECTS, ASSIGN PRIORITIES FOR PROJECT ACCOMPLISHMENT, AND EVALUATE THE RESULTS OF FUNDED PROJECTS. ANOTHER ESSENTIAL RESPONSIBILITY OF THIS TEAM IS THE DETERMINATION FOR CITY OF PHILDELPHIA PURPOSES, OF CRIMINAL JUSTICE FUNDING SOURCES OTHER THAN LEAA. THE LEAA PROJECT FUNDS PROVIDE FOR THE SALARIES OF THE 11 MEMBERS OF THE C.A.T. AND OFFICE EQUIPMENT AND SUPPLIES. THIS AWARD OF $200,000 IS MADE UNDER THE NATIONAL SCOPE PROGRAM AS DESCRIBED IN THE LEAA FY 1972 GUIDE FOR DISCRETIONARY GRANT PROGRAMS AND AS AUTHORIZED BY P.L. 90-351, AS AMENDED.

TITLE:
NORTH CENTRAL/ NORTHWEST PHILADELPHIA STRIKE FORCE

AWARD AMOUNT:
$782,205

FUNDING HISTORY:
0 72 DF $782,205

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT
8TH & RACE STREETS
PHILADELPHIA, PA 19106

GRANT NO.:
72DF030038

PROJECT DIRECTOR:
JOHN CRAIG

PROJECT SUMMARY:
THIS DEMONSTRATION PROJECT PROVIDES FOR A STRIKE FORCE OF 64 PLAINCLOTHES POLICEMEN TO OPERATE IN NORTH CENTRAL AND NORTHWEST PHILADELPHIA (22ND, 23RD, AND 39TH POLICE DISTRICTS). THE GOAL OF THE STRIKE FORCE TEAM IS TO STOP THE INCREASE IN BURGLARY AND ROBBERY IN THE PROJECT YEAR. PHILADELPHIA PLANS TO CREATE A "MOBILE POLICE DISTRICT" TO BETTER UTILIZE OUR 64 MEMBER STRIKE FORCE TEAM. THE PLAINCLOTHESMEN WILL BE RESPONSIBLE ONLY FOR PREVENTIVE PATROL IN UNMARKED VEHICLES, INVESTIGATION OF KNOWN OFFENDERS OR SUSPECT INDIVIDUALS, AND SURVEILLANCE OF BUSINESS AND RESIDENTIAL PROPERTIES TO REDUCE BURGLARY AND ROBBERY. THE STRIKE FORCE MEMBERS WILL NOT BE USED FOR PURPOSES OTHER THAN THE REDUCTION OF IMPACT CRIME. THE WORK SCHEDULE OF THE TEAM WILL BE HIGHLY FLEXIBLE SO THAT THE TEAM CAN BETTER RESPOND TO CHANGING PATTERNS OF CRIME AND SPECIFIC PROBLEM AREAS AS THEY ARE IDENTIFIED. LEAA PROJECT FUNDS WILL BE UTILIZED FOR THE SALARIES AND SUPPORT EQUIPMENT OF THE 64 POLICE OFFICERS.

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TITLE:
AIRPORT SECURITY PROJECT

AWARD AMOUNT:
$5,534

FUNDING HISTORY:
0 72 DF $5,534

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT.
FRANKLIN SQUARE
PHILADELPHIA, PA. 19106

GRANT NO.:
72DF991014

PROJECT DIRECTOR:
RICHARD BRIDGEFORD, CHIEF INSPECTOR

PROJECT SUMMARY:
EQUIP. PURCHASED CENTRALLY. NO DRAWDOWN OF FUNDS ALLOWED. THE PRESIDENT HAS STATED THAT THE RESPONSIBILITY FOR SAFEGUARDING THE NATION'S AIR SYSTEM IS "PROPERLY SHARED BY THE FEDERAL GOVERNMENT, AIRLINES, AIRPORTS AND LOCAL LAW ENFORCEMENT AGENCIES." IN RECENT MONTHS THE NUMBER OF INCIDENTS OF AIRCRAFT HIJACKING HAS INCREASED AT AN ALARMING RATE. THE EQUIPMENT WILL BE CENTRALLY PURCHASED AND SHIPPED THE GRANTEE BY THE MANUFACTURER. IT IS ANTICIPATED THAT THIS EQUIPMENT IN CONSORT WITH THE AIR CARRIER AND AIRPORT SECURITY REGULATIONS RECENTLY PROMULGATED BY THE FEDERAL AVIATION ADMINISTRATION WILL SIGNIFICANTLY REDUCE THE INCIDENCE OF AIR PIRACY. THIS GRANT HAS BEEN MADE PURSUANT TO PART C, TITLE I OF P.L. 90-531, AS AMENDED.

TITLE:
NORTHWESTERN STRIKE FORCE

AWARD AMOUNT:
$1,000,000

FUNDING HISTORY:
0 73 DF $1,000,000

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT
8TH & RACE STS.
PHIL, PA 19106

GRANT NO.:
73DF030010

PROJECT DIRECTOR:
INSPECTOR JOHN A CRAIG

PROJECT SUMMARY:
A POLICE STRIKE FORCE WILL BE ESTABLISHED TO PATROL NORTHWESTERN PHILADELPHIA TO CONTROL AND REDUCE BURGLARY AND ROBBERY BY 10% AND 15% RESPECTIVELY. IT IS ALSO ANTICIPATED THAT THERE WILL BE A 5% DECREASE IN ALL PART I CRIMES IN ADDITION TO A 5% INCREASE IN THE PART I CLEARANCE RATE. IT IS ALSO EXPECTED THAT THE MOUNTING FEAR OF CRIME AND NEIGHBORHOOD DETERIORATION WILL BE REVERSED IN THIS AREA. THE STRIKE FORCE WILL BE COMPOSED OF 55 VETERAN POLICEMEN, SEVEN (7) SUPERVISORY OFFICERS (ONE CAPTAIN, ONE LIEUTENANT, AND FIVE (5) SERGEANTS) WITH A CAPTAIN IN DIRECT CHARGE REPORTING TO AN INSPECTOR WHO HAS OTHER TASK FORCE RESPONSIBILITIES. THE POLICE OFFICERS WILL OPERATE IN NONDESCRIPT, CARS AND TRUCKS AND CORRESPONDING PLAINCLOTHES AND VARY THEIR TIME AND AREA ASSIGNMENT AS INDICATED BY PERIODIC CRIME ANALYSES. FORTY (40) PORTABLE RADIOS WILL PROVIDE COMMUNICATIONS AND THE STRIKE FORCE MEMBERS WILL BE GIVEN THREE (3) WEEKS OF SPECIAL TACTICAL TRAINING BEFORE STARTING ON THE 12-MONTH PROJECT PERIOD.

TITLE:
PUBLIC TRANSIT CRIME REDUCTION PROGRAM

AWARD AMOUNT:
$1,000,000

FUNDING HISTORY:
0 73 DF $1,000,000

GRANTEE NAME AND ADDRESS:
PHILADELPHIA DEPT OF POLICE
8TH & RACE STS.
PHIL. PENN 19106

GRANT NO.:
73DF030024

PROJECT DIRECTOR:
JOHN A. CRAIG, INSPECTOR

PROJECT SUMMARY:
THIS PROJECT WILL EXPAND THE PHILADELPHIA POLICE TRANSIT UNIT TO DETER PART I-PART II CRIMES, ENSURE SWIFT APPREHENSION, REVERSE RIDERSHIP DECLINE, AND MAXIMIZE THE MASS TRANSIT NETWORK BY THE USE OF SIXTY PATROLMEN (THIRTY K-9 UNITS CAR DOG AND ONE PATROLMAN - AND THIRTY PATROLMEN UTILIZING UNDERCOVER TECHNIQUES) SUPERVISED BY ONE LIEUTENANT AND FOUR SERGEANTS. THESE SPECIALLY TRAINED POLICE WILL UTILIZE TWENTY SEVEN PORTABLE RADIOS, THREE SPECIAL SUBWAY-PATROL VEHICLES, ONE STOCK COLORED SEDAN, AND ONE REGULAR

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PATROL VEHICLE IN PATROLLING THE WEST MASS-TRANSIT SYSTEM. IT IS EXPECTED THAT THERE WILL BE A 5% PART I CRIME DECREASE, A 5% PART I CRIME CLEARANCE RATE INCREASE, A 10% PART II CRIME DECREASE WITH A 10% CLEARANCE INCREASE REVERSING THE DECREASE IN RIDERSHIP. A CAREFUL ANALYSIS OF ALL FACTORS INVOLVED (CRIME, ECONOMICS INCLUDING GOVERNMENT AND BUSINESS, AND THE FEAR OF CRIME) INDICATE THAT THIS PROGRAM IS NECESSARY FOR THE SURVI VAL AND FUTURE DEVELOPMENT OF THE CITY.

TITLE:
DRUG ENFORCEMENT ADMINISTRATION- TASK FORCE

AWARD AMOUNT:
$444,868

FUNDING HISTORY:
0 74 NI $444,868

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT
COUNTY OF PHILADELPHIA
PHILADELPHIA, PA. 19107
TEL.(215)MU62160

GRANT NO.:
74NI030002

PROJECT DIRECTOR:
WILLIAM J. CORCORAN

PROJECT SUMMARY:
THIS IS A CONTINUATION OF D/F #73-NI-03-0001. THE PROJECT IS RESPONSIBLE FOR IMPLEMENTING AN ATTACK ON HEROIN TRAFFIC AS PART OF A NATIONWIDE ENFORCEMENT EFFORT. THE PROGRAM IS HEADED BY A REGIONAL COUNSEL, WHO SUPERVISES ATTORNEY AND INVESTIGATOR TEAMS COMPRISED OF LOCAL, STATE AND FEDERAL PERSONNEL. UPON THE REORGANIZATION OF ALL AGENCIES CHARGED WITH THE ENFORCEMENT OF FEDERAL LAWS PERTAINING TO NARCOTICS, A NEW AGENCY WAS CREATED AS OF JULY 1, 1973. THIS PROJECT WAS INCORPORATED INTO THE NEW AGENCY WHICH IS NOW KNOWN AS THE DRUG ENFORCEMENT ADMINISTRATION. THE PURPOSE OF THIS GRANT IS TO CONTINUE THE EXPANSION OF THE FEDERAL ROLE IN THE ENFORCEMENT OF THE NARCOTIC AND DANGEROUS DRUG LAWS AT THE STREET LEVEL WITH THE ULTIMATE GOAL OF ELIMINATING THE MIDDLE LEVEL PUSHER.

TITLE:
DRUG ENFORCEMENT ADMINISTRATION TASK FORCE

AWARD AMOUNT:
$155,132

FUNDING HISTORY:
0 74 NI $155,132

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT
303 WALNUT STREET SUITE 300
PHILADELPHIA, PENNSYLVANIA 19106

GRANT NO.:
74NI030003

PROJECT DIRECTOR:
ARTHUR LEWIS, WILLIAM OLIVANTE

PROJECT SUMMARY:
THIS IS A SUPPLEMENTAL GRANT NO. 73-NI-03-0001, ($484,000). THESE FUNDS WILL PROVIDE FOR EXPENSES INCURRED DURING GRANT PERIOD UP TO OCTOBER 31, 1973, WHICH WERE UNPAID DUE TO THE TRANSFER OF FUNDS TO LOS ANGELES, CALIFORNIA.

TITLE:
NORTH CENTRAL/NORTHWEST PHILADELPHIA STRIKE FORCE

AWARD AMOUNT:
$1,000,000

FUNDING HISTORY:
0 75 OF $1,000,000

GRANTEE NAME AND ADDRESS:
CITY OF PHILADELPHIA POLICE DEPARTMENT
8TH AND RACE STREET
PHILADELPHIA, PENNSYLVANIA 19106

GRANT NO.:
75OF030020

PROJECT DIRECTOR:
JOHN CRAIG

PROJECT SUMMARY:
THIS IS A CONTINUATION PROJECT OF A STRIKE FORCE THAT IN ITS FIRST SIX MONTHS OF OPERATION IN 1973 SHOWED A 28.8% AND A 38.3% REDUCTION IN ROBBERIES AND BURGLARIES RESPECTIVELY, WHICH ARE THE TARGETED CRIMES. IT IS EXPECTED THAT THERE WILL BE AN ADDITIONAL 8% REDUCTION IN THESE TWO CRIMES DURING THE LIFE OF THE PROJECT. FUNDING WILL PROVIDE FOR A STAFF OF [illegible]

DETECTIVES. THE SUBGRANTEE WILL CONTRIBUTE THE SERVICES OF FOUR SERGEANTS, ONE LIEUTENANT, AND ONE CAPTAIN WHO WILL SUPERVISE AND DIRECT THE PERSONNEL. THEY WILL BE DIVIDED INTO FOUR SQUADS FOR A NORMAL 24-HOUR COVERAGE BUT THE HOURS OF ASSIGNMENT WILL BE BASED ON A COMPUTER ANALYSIS OF THE CRIME STATISTICS FOR THE AREA COVERED - THE 22ND, 23RD, AND 19TH PATROL DISTRICTS. THE STRIKE FORCE WILL USE A MIX OF MARKED AND UNMARKED VEHICLES INCLUDING TRUCKS, TAXIS, ETC., AND WILL EMPLOY ROUTINE, CONCENTRATED, SPECIALIZED, AND SURVEILLANCE PATROL. THIS AWARD IS MADE UNDER TITLE I OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968, P. L. 90-351, AS AMENDED, IN THE AMOUNT OF $1,000,000.

TITLE:
CRIME REDUCTION PROGRAM FOR WEST PHILADELPHIA

AWARD AMOUNT:
$970,370

FUNDING HISTORY:
0 75 OF $970,370

GRANTEE NAME AND ADDRESS:
CITY OF PHILADELPHIA POLICE DEPARTMENT
8TH AND RACE STREETS
PHILADELPHIA, PENNSYLVANIA 19106

GRANT NO.:
75DF030021

PROJECT DIRECTOR:
MR. JOHN CRAIG

PROJECT SUMMARY:
THIS IS A CONTINUATION PROJECT OF THE CRIME REDUCTION PROGRAM FOR WEST PHILADELPHIA THAT IN ITS FIRST SIX MONTHS OF OPERATION IN 1974 SHOWED A REDUCTION OF 33% AND 24.3% RESPECTIVELY IN ROBBERY AND BURGLARY, THE TARGETED CRIMES. IT IS EXPECTED THAT THESE TWO CRIMES WILL BE REDUCED AN ADDITIONAL 8% DURING THE LIFE OF THE PROJECT. FUNDING WILL PROVIDE FOR 50 VETERAN POLICEMEN AND WILL UTILIZE SPECIALIZED EQUIPMENT INCLUDING DISGUISE PARAPHERNALIA (BEARDS, MUSTACHES, ETC.). THESUBGRANTEE WILL CONTRIBUTE THE SUPERVISORY PERSONNEL: 1 LIEUTENANT, AND 6 SERGEANTS. THE CRIME REDUCTION UNIT IS STRUCTURED TO OPERATE ON A 24 HOUR BASIS BUT ASSIGNMENTS ARE MADE ON A TACTICAL BASIS USING A COMPUTER STATISTICAL ANALYSIS PLUS MEETINGS WITH ALL CONCERNED. RESIDES CONCENTRATING ON ROBBERY AND BURGLARY THERE IS ALSO A MAJOR FOCUS ON NARCOTICS AS IT RELATES TO THESE TWO AND OTHER SERIOUS CRIMES IN THE ASSIGNED AREAS--THE 12TH 18TH 18TH AND 19TH PATROL DISTRICTS. THE UNIT WILL USE ROUTINE, CONCENTRATED, SPECIALIZED, AND SURVEILLANCE PATROL. THIS AWARD IS MADE UNDER TITLE I OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968, P.L. 90-351, AS AMENDED, IN THE AMOUNT OF $970,370.

ITEMS RETRIEVED 76

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BE USED TO TRAIN LAB PERSONNEL IN THE OPERATIONS AND MAINTENANCE OF THIS EQUIPMENT.

MANAGEMENT ANALYSIS AND PLANNING UNIT

GRANTEE NAME AND ADDRESS:
NY CITY DEPARTMENT OF INVESTIGATIONS
C/O ST OF NY, DIV OF CRIM JUSTICE SERVS
250 BROADWAY, 10TH FLOOR
NEW YORK, NY 10007

AWARD AMOUNT: $102,622

LEAA GRANT NUMBER: 74A36R0053

STATE GRANT NUMBER: 81019/74 1747

PROJECT SUMMARY:
THE NEW YORK CITY DEPARTMENT OF INVESTIGATIONS PROPOSES TO CREATE A BUREAU OF MANAGEMENT, ANALYSIS AND PLANNING WITHIN ITS OFFICE WHICH WOULD, UNDER THE DIRECTION OF A BUSINESS MANAGER, BE RESPONSIBLE FOR ANALYZING AND IMPROVING INTERNAL SYSTEMS OF PAPER FLOW, RECORD KEEPING, STAFF SUPERVISION AND SPACE UTILIZATION.

STATE: PENN

CITY: PHILADELPHIA

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JUVENILE AID DIVISION EXPANSION

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPARTMENT
FRANKLIN SQUARE
PHILADELPHIA, PA 19106

AWARD AMOUNT: $317,233

LEAA GRANT NUMBER: 72A42R0014

STATE GRANT NUMBER: PH-171-72A

PROJECT SUMMARY:
DURING THE RECENT YEARS, PHILADELPHIA HAS BEEN PLAGUED BY A TREMENDOUS NUMBER OF JUVENILE CRIMES AND PARTICULARLY, GANG RELATED CRIMES. TO COPE WITH THIS PROBLEM, IT IS PROPOSED THAT THE JUVENILE AID DIVISION BE EXPANDED BY THE ADDITION OF 23 OFFICERS, WHO WILL BE ASSIGNED AS LIAISON OFFICERS WORKING WITH THE DETECTIVE BUREAU. THEY WILL CONCENTRATE ON JUVENILE CRIMES AND ESPECIALLY GANG-RELATED CRIMES. THE ADDITIONAL OFFICERS WILL RESULT IN BETTER QUALITY INVESTIGATIONS AND SUBSEQUENTLY A HIGHER CLEARANCE RATE OF JUVENILE CRIMES. EXPANSION OF THE JUVENILE AID DIVISION WILL ENABLE MORE MAN HOURS TO BE DEVOTED TO STREET PATROL TO PREVENT JUVENILE CRIMES AND GANG-RELATED ACTIVITIES. TEN (10) OF THE 23 OFFICERS WILL BE WOMEN.

CLOSED CIRCUIT TELEVISION COMMUNICATIONS - PHASE III

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPARTMENT
FRANKLIN SQUARE
PHILADELPHIA, PA 19106

AWARD AMOUNT:
$170,844

LEAA GRANT NUMBER:
72A42P0016

STATE GRANT NUMBER:
PH-168-72A

PROJECT SUMMARY:
THIS APPLICATION REPRESENTS A THIRD-YEAR CONTINUATION OF THE POLICE DEPARTMENT'S CCTV PROGRAM (PH-055-71A). THE CURRENT PROJECT HAS BEEN EVALUATED BY COUNCIL'S PLANNING DIRECTOR, WHO RECOMMENDS APPROVAL OF THIS CONTINUATION. IN PHASE I OF THE PROJECT, AN EXPERIMENTAL "PILOT" MICROWAVE CCTV LINK WAS INSTALLED BETWEEN THE POLICE ADMINISTRATION BUILDING AND ONE (1) POLICE DIVISION HEADQUARTERS BUILDING (SOUTH DIVISION) TO PERMIT TESTING EQUIPMENT AND PROCEDURES FOR THE FINAL SYSTEM DESIGN. PHASE II OF THE PROJECT CALLS FOR FINALIZING THE SYSTEM DESIGN AND INSTALLING THE SYTEM INTO FIVE (5) POLICE DIVISION HEADQUARTERS BUILDINGS. PHASE II IS SCHEDULED FOR COMPLETION BY JUNE, 1973. THIS APPLICATION REPRESENTS PHASE III OF THE PROJECT AND WILL PROVICE FOR EXPANDING THE SYSTEM TO ALL NINE (9) POLICE DIVISIONHEADQUARTERS BUILDINGS.

HUMAN RELATIONS TRAINING FOR POLICE (AT TEMPLE UNIVERSITY)

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPT.
FRANKLIN SQUARE
PHILADELPHIA, PA 19106

AWARD AMOUNT:
$26,196

LEAA GRANT NUMBER:
72A42R0336

STATE GRANT NUMBER:
PH-082-72A

PROJECT SUMMARY:
THIS IS A CONTINUATION REQUEST FOR SUB-GRANT (#FO-A-017-71) WHICH PROVIDED A HUMAN RELATIONS TRAINING COURSE FOR PHILADELPHIA POLICE PERSONNEL AT TEMPLE UNIVERSITY, FROM JULY 1, 1971 - JUNE 30, 1972. THE COURSE WAS DESIGNED TO GIVE POLICE RECRUITS AND IN-SERVICE PERSONNEL A BACKGROUND IN COMMUNITY RELATIONS AND HUMAN RESPONSE. THE GOAL OF THE PROGRAM WAS TO BETTER UNDERSTAND THE VARIOUS PROBLEMS THAT ARISE IN THE MODERN URBAN COMMUNITY. IT IS BELIEVED THAT OFFICERS RECEIVING SAID TRAINING WILL BE BETTER PREPARED TO COPE WITH FIELD SITUATIONS--THEREBY BETTER SERVING THE POLICE DEPARTMENT AND THE COMMUNITY.

NEIGHBORHOOD ANTI-BURGLARY PROJECT

Best Copy Available

GRANTEE NAME AND ADDRESS:
PHILADELPHIA CITY POLICE DEPARTMENT
8TH AND RACE ST.
PHILADELPHIA, PA 19106

AWARD AMOUNT:
$120,984

LEAA GRANT NUMBER:
72A42R0354

STATE GRANT NUMBER:
PH-122-72A

PROJECT SUMMARY:
THE PHILADELPHIA POLICE DEPARTMENT PROPOSES TO CONTRACT WITH THE CRIME COMMISSION OF PHILADELPHIA, A PRIVATE, NON-PROFIT EDUCATIONAL ORGANIZATION, TO JOIN IN A YEAR LONG PROGRAM TO REDUCE THE INCIDENCE OF BURGLARY OR AT LEAST TO LOWER THE RATE OF INCREASE. VOLUNTEERS SELECTED FROM A TARGET AREA OF THE CITY WILL BE TRAINED TO TEACH HOUSEHOLDERS AND SMALL MERCHANTS HOW THEY CAN PROTECT THEMSELVES AND THEIR PREMISES AGAINST BURGLARY. TRAINING, THE USE OF DESCRIPTIVE MATERIAL, PROTOTYPE SECURITY DEVICES AND PUBLIC EDUCATION PROGRAMS WILL PROVIDE THE BASIS FOR SUBSEQUENT DIRECT ASSISTANCE FROM SPECIALLY TRAINED POLICE. THE MAJOR OBJECTIVE OF THE NEIGHBORHOOD ANTI-BURGLARY PROJECT (NAB) IS TO DEMONSTRATE WITHIN A SELECTED TARGET AREA, THAT MAJOR BURGLARY PREVENTATIVE RESOURCES ARE WITHIN THE CAPACITY OF EACH CITIZEN. VALIDATION OF THE ASSUMPTION THAT THE INCIDENCE OF BURGLARY CAN BE REDUCED THROUGH THE PROJECT SHOULD LEAD TO BROAD APPLICATION OF THE METHOD THROUGHOUT THE CITY.

Best Copy Available

NARCOTICS TRAINING FOR POLICEMEN

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPARTMENT
FRANKLIN SQUARE
PHILADELPHIA, PA 19106

AWARD AMOUNT: $32,225

LEAA GRANT NUMBER: 72A42R0358

STATE GRANT NUMBER: PH-144-72A

PROJECT SUMMARY:
THE COURSE, CONSISTING OF 17 HOURS OF LECTURE AND 64 HOURS OF CLINICAL TRAINING, IS DESIGNED TO BETTER ACQUAINT THE POLICEMAN WITH BOTH NARCOTICS AND THE NARCOTICS ADDICT. HE WILL LEARN TO IDENTIFY NARCOTICS BY SIGHT, SMELL AND OTHER CHARACTERISTICS. HE WILL GET TO KNOW THE ADDICT, HOW TO IDENTIFY HIM AND HOW TO RESPOND TO HIM. BY WORKING WITH THE ADDICT IN THE IN-PATIENT AND OUT-PATIENT CLINICS, HE WILL BETTER UNDERSTAND THE SOCIAL FORCES THAT CONTRIBUTE TO ADDICTION AND HOW TO HANDLE THE ADDICT. THE KNOWLEDGE GAINED IN THIS COURSE WILL ENABLE THE POLICEMAN TO BETTER DISCHARGE HIS RESPONSIBILITIES WHERE THE NARCOTICS ADDICT IS CONCERNED. AN ANCILLARY BENEFIT WILL BE AN UP-GRADING OF POLICE/COMMUNITY RELATIONS.

MINORITY GROUP CULTURAL TRAINING

GRANTEE NAME AND ADDRESS:
PHILADELPHIA POLICE DEPARTMENT
FRANKLIN SQUARE
PHILADELPHIA, PA 19106

AWARD AMOUNT: $29,296

LEAA GRANT NUMBER: 72A42R0359

STATE GRANT NUMBER: PH-146-72A

PROJECT SUMMARY:
THE COURSE IS TO PROVIDE IN-SERVICE TRAINING FOR POLICE OFFICERS AT TEMPLE UNIVERSITY. IT IS DESIGNED TO BETTER PREPARE OFFICERS FOR ASSIGNMENT TO LARGELY BLACK AND SPANISH-SPEAKING AREAS. THE COURSE WILL PROVIDE INSTRUCTION IN THE HISTORY, CUSTOMS, FAMILY STRUCTURE, ECONOMICS, AND SOCIOLOGY OF MINORITY CULTURES. THE GOAL OF THE PROJECT IS TO REDUCE TENSIONS AND IMPROVE UNDERSTANDING BETWEEN POLICE OFFICERS AND MINORITY GROUPS.

HIGH SPEED INFORMATION AND RETRIEVAL SYSTEM

GRANTEE NAME AND ADDRESS:
CITY AND COUNTY OF PHILADELPHIA P D
FRANKLIN SQUARE
PHILADELPHIA, PA

AWARD AMOUNT: $62,961

LEAA GRANT NUMBER: 73A42R0258

STATE GRANT NUMBER: PH-187-73A

PROJECT SUMMARY:
THIS IS A NEW APPLICATION FOR REPLACEMENT OF EXISTING OBSOLETE RECORDING EQUIPMENT IN THE POLICE RADIO ROOM. AT THE PRESENT TIME REPLACEMENT PARTS ARE UNAVAILABLE OR PROHIBITIVELY EXPENSIVE CAUSING EXCESSIVE "DOWNTIME" OF RECORDING EQUIPMENT. RETRIEVAL OF VITAL DATA ON TAPES REQUIRES A DISPROPORTIONATE AMOUNT OF MANPOWER. THE VOICE REPRODUCTION OF THIS EQUIPMENT IS OF SUCH POOR QUALITY THAT IT PRECLUDES ITS USE FOR VOICE PRINTING AND IDENTIFICATION OF KNOWN CALLERS. THIS NEW RECORDING AND RETRIEVAL SYSTEM WILL ENABLE THE POLICETO QUICKLY LOCATE, RETRIEVE, AND REPRODUCE SOURCE DATA FOR CRIMINAL INVESTIGATIONS AND COURT APPEARANCE.

MOVIES-IN-THE-STREETS PROGRAM

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
PHILADELPHIA POLICE DEPARTMENT FRANKLIN SQUARE PHILADELPHIA, PA 19106	$15,000	73A42R0325	PH-204-73A

PROJECT SUMMARY:
THIS PROGRAM IS A SECOND-YEAR CONTINUATION OF "MOVIES IN THE STREETS." THE PROJECT OPERATES WITHIN THE POLICE DEPARTMENT COMMUNITY RELATIONS UNIT AND INVOLVES THE SHOWING OF FULL-LENGTH FEATURE FILMS OUTDOORS IN LOCAL NEIGHBORHOODS IN THE SUMMER, AND INDOORS TO COMMUNITY CIVIC AND RELIGIOUS GROUPS DURING THE YEAR. THE PROGRAM IS DESIGNED TO IMPROVE UNDERSTANDING AND COOPERATION BETWEEN THE POLICE DEPARTMENT AND THE COMMUNITY IT SERVES.

PARTICIPATION IN/ESTAB/EXPANSION OF POL TRNG PGMS AND/OR FAC

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CITY OF PHILADELPHIA/POLICE DEPARTMENT FRANKLIN SQUARE PHILADELPHIA, PA 19106	$846	73A42R1091	PH-331-73A

PROJECT SUMMARY:
THIS PROGRAM CONSISTS OF ADVANCED ONE WEEK SEMINARS IN POLICE EXECUTIVE DEVELOPMENT. IT IS OPENED ONLY TO THOSE WHO HAVE GRADUATED FROM THE POLICE EXECUTIVE DEVELOPMENT INSTITUTES. THESE ADVANCED SEMINARS WILL EXPAND UPON MANAGERIAL TECHNIQUES AND COMPONENTS OF ORGANIZATIONAL THEORY.

NEIGHBORHOOD ANTI-BURGLARY PROGRAM CONTINUATION

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CITY OF PHILADELPHIA/POLICE DEPARTMENT 8TH AND RACE STREETS PHILADELPHIA, PA 19106	$108,187	74A42R0103	PH-74-C-P01-5-269

PROJECT SUMMARY:
THIS IS A SECOND YEAR CONTINUATION OF THE NEIGHBORHOOD ANTIBURGLARY PROGRAM (PH-122-72A). THIS PROJECT IS A JOINT EFFORT OF THE CRIME COMMISSION OF PHILADELPHIA AND THE PHILADELPHIA POLICE DEPARTMENT, WHICH IS DESIGNED TO DEMONSTRATE WITHIN A SELECTED TARGET AREA, THAT MAJOR BURGLARY PREVENTATIVE RESOURCES ARE WITHIN THE CAPACITY OF EACH CITIZEN. THE PURPOSE OF THE PROGRAM IS TO REDUCE THE INCIDENCE OF BURGLARY IN THE TARGET AREA.

Best Copy Available

HUMAN RELATIONS TRAINING PROGRAM

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CITY OF PHILADELPHIA/POLICE DEPARTMENT FRANKLIN SQUARE PHILADELPHIA, PA 19106	$29,135	74A42R0104	PH-74-C-A12-5-26R

PROJECT SUMMARY:
THIS PROGRAM IS A FOURTH YEAR CONTINUATION OF PH-209-73A, HUMAN RELATIONS TRAINING PROGRAM. THIS TRAINING PROGRAM AT TEMPLE UNIVERSITY IS DESIGNED TO GIVE POLICE RECRUITS AND VETERAN OFFICERS A BACKGROUND IN COMMUNITY RELATIONS AND HUMAN RESPONSE. THE GOAL OF THE PROGRAM HAS BEEN TO PROVIDE POLICE OFFICERS WITH A BETTER UNDERSTANDING OF HUMAN NATURE WHICH WILL HELP THE POLICEMAN TO BETTER SERVE THE COMMUNITY AND THE POLICE DEPARTMENT.

JUVENILE AID DIVISION EXPANSION

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CITY OF PHILA/PHILADELPHIA POLICE DEPT FRANKLIN SQUARE PHILADELPHIA, PA 19106	$84,865	74A42R0129	PH-74-C-005-5-29R

PROJECT SUMMARY:
THIS IS A SECOND YEAR CONTINUATION OF THE JUVENILE AID DIVISION, PH-171-72A. THE EXPANSION OF THE JUVENILE AID DIVISION PROGRAM CONSISTS OF THIRTEEN ADDITIONAL POLICEMEN AND 10 POLICEWOMEN. THE 13 MEN ARE ASSIGNED AS LIAISON OFFICERS WORKING WITH THE DETECTIVE BUREAU, AND THE 10 WOMEN ARE ASSIGNED TO NORMAL JUVENILE AID DIVISION ACTIVITIES. THEY HAVE CONCENTRATED ON JUVENILE CRIME AND ESPECIALLY GANG RELATED CRIMES.

MINORITY GROUP CULTURAL TRAINING

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CITY OF PHILADELPHIA/POLICE DEPARTMENT FRANKLIN SQUARE PHILADELPHIA, PA 19106	$27,140	74A42R0130	PH-74-C-A12-5-28I

PROJECT SUMMARY:
THIS IS A SECOND YEAR CONTINUATION OF MINORITY GROUP CULTURAL TRAINING (PH-146-73A). THIS COURSE AT TEMPLE UNIVERSITY IS TO PROVIDE TRAINING FOR VETERAN POLICE OFFICERS TO BETTER PREPARE THEM FOR ASSIGNMENTS TO LARGELY BLACK AND SPANISH-SPEAKING AREAS. IT PROVIDES INSTRUCTIONS IN THE HISTORY, CUSTOMS, FAMILY STRUCTURE, ECONOMICS AND SOCIOLOGY OF MINORITY CULTURES. THE GOAL OF THIS PROGRAM IS TO REDUCE TENSIONS AND IMPROVE UNDERSTANDING BETWEEN POLICE OFFICERS AND MINORITY GROUPS.

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PROVISION OF NEW OR REORGANIZATION OF EXIST POLICE FUNCTIONS

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CITY OF PHILA/PHILADELPHIA POLICE DEPT FRANKLIN SQUARE PHILADELPHIA, PA 19106	$493,289	74A42R0328	PH-74-C-005-S-309

PROJECT SUMMARY:
THE FUNDS WILL BE USED TO CONTINUE THE INSTALLATION OF THE PHILADELPHIA POLICE CLOSED CIRCUIT TELEVISION COMMUNICATIONS SYSTEM. THIS GRANT REQUEST IS FOR PHASE IV OF THE PROJECT, WHICH WILL EXPAND THE SYSTEM TO TEN POLICE DISTRICT LOCATIONS, THAT ARE NOT SET IN THE SYSTEM. THE FINAL POLICE CCTV COMMUNICATIONS SYSTEM WILL BE USED TO HELP ALLEVIATE A WIDE RANGE OF PROBLEMS IN THE AREAS OF TRAINING, POLICE OPERATIONS AND ADMINISTRATIVE USES.

MOVIES-IN-THE-STREETS PROGRAM

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CITY OF PHILADELPHIA/PHILA POLICE DEPT FRANKLIN SQUARE PHILADELPHIA, PA 19106	$14,500	74A42R0521	PH-74-C-100-S-338

PROJECT SUMMARY:
THE PHILADELPHIA POLICE DEPARTMENT WISHES TO CONTINUE FOR AN ADDITIONAL YEAR THE MOVIE-IN-THE-STREETS PROGRAM. THE POLICE COMMUNITY RELATIONS BUREAU IS RESPONSIBLE FOR THE ADMINISTRATION AND OPERATION OF THIS PROGRAM, WHICH INVOLVES THE SHOWING OF FULL LENGTH, POPULAR FEATURE FILMS OUTDOORS IN LOCAL AREAS DURING THE SUMMER MONTHS, AND INDOORS TO CIVIC, RELIGIOUS, AND COMMUNITY GROUPS THROUGHOUT THE YEAR. THE PROGRAM IS DESIGNED TO CURB POSSIBLE VIOLENCE DURING THE SUMMER MONTHS, TO IMPROVE THE COOPERATION AND DEVELOP A MORE DESIRABLE UNDERSTANDING BETWEEN THE COMMUNITY AND THE POLICE. THE PROGRAM HAS ENJOYED WIDE COMMUNITY ACCEPTANCE AND IS A POSITIVE FACTOR IN THE BUILDING OF A BETTER RELATIONSHIP BETWEEN THE COMMUNITY AND POLICE.

CRISIS INTERVENTION TEAM

GRANTEE NAME AND ADDRESS:	AWARD AMOUNT:	LEAA GRANT NUMBER:	STATE GRANT NUMBER:
CTY PHIL/DEPT PUB WEL/CRISIS INTVEN TEAM CITY HALL ANNEX - ROOM 829 PHILADELPHIA, PA 19102	$121,331	74A42R0690	PH-74-C-801-S-387

PROJECT SUMMARY:
THE CRISIS INTERVENTION TEAM NETWORK IS A JOINT EFFORT OF SEVERAL AGENCIES DESIGNED TO MINIMIZE GANG VIOLENCE. THE PARTICIPATING AGENCIES INCLUDE THE PHILADELPHIA BOARD OF EDUCATION, THE PROBATION DEPARTMENT OF THE COURT OF COMMON PLEAS, JUVENILE PROBATION, THE RECREATION DEPARTMENT, THE POLICE DEPARTMENT, THE WELFARE DEPARTMENT, LOCAL HOSPITALS, CHURCHES, YOUTH AND COMMUNITY GROUPS. THE CITY HAS DEVISED THIS NETWORK APPROACH WHICH WILL BE CENTERED IN SPECIFIC AREAS AND DEVOTED TO ELIMINATING VIOLENCE BUT WILL HAVE THE BUILT-IN MOBILITY TO DEAL WITH A POTENTIAL GANG PROBLEM WHEREVER IT MAY BE DEVELOPING. IT HAS ALSO BUILT-IN COMMUNICATION AMONG PROFESSIONALS, COMMUNITY GROUPS, AND INDIVIDUAL CITIZENS WHICH WILL ALLOW FOR DISPERSAL OF INFORMATION THROUGH THE CITY HALL PHONE CENTER.

ITEMS RETRIEVED 69

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JURISDICTION

(Justice Department Has Regulatory Power)

I

This civil rights complaint is filed in accordance with Title VI and Title VII of the Civil Rights Act 42 U.S.C.A. § 2000, *et seq.*, forbidding employment discrimination by state action and pursuant to 42 U.S.C.A. § 3757 empowering LEAA (the Justice Department) to suspend or terminate funding of projects (estimated $1.7 *billion* authorized for 1973) which do not meet the civil rights requirements of the Justice Department's regulations. (See generally, LEAA Equal Rights Guidelines, Federal Register, Vol. 38, No. 46, March 9, 1973.)

II

The Justice Department in enacting the LEAA Equal Employment Opportunity Guidelines recognized the vital role that the elimination of discrimination against minorities plays in achieving effective law enforcement.

> "The experience of LEAA in implementing its responsibilities under the Omnibus Crime Control and Safe Streets Act of 1968 has demonstrated that *the full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component to the Safe Streets Act Program to reduce crime and delinquency in the United States.*" § 42.301 Fed. Reg., Vol. 38, No. 46 (1973).

COMPLAINANTS

III

Complainants are: NAACP, Western Region, League of United Latin American Citizens, the American G.I. Forum, the Mexican-American Political Association, National Organization for Women (NOW), Black Women Organized for Action, and the Spanish-Speaking Unity Council.

IV

The aforementioned organizations are considered to be leaders in the State in "seeking to secure equal employment

opportunities based on objective qualifications", and thereby fostering the policy which has been deemed a "necessary component" of effective law enforcement by the Justice Department.

V

These organizations directly represent the interests of more than 12,500,000 Californians.

DEFENDANTS

VI

The defendants are: City of Los Angeles, City of San Diego, City of San Francisco, City of San Jose, City of Oakland, City of Long Beach, City of Sacramento, City of Fresno, City of Glendale, City of Huntington Beach, City of Berkeley, City of Stockton, City of Pasadena, City of San Bernardino, City of Fremont, City of Sunnyvale, City of Hayward, City of Inglewood, and the City of Richmond.

VII

Defendants are all among the thirty (30) most populous cities in the State of California. As such, defendants employ the personnel who bear responsibility for providing police services to more than seven (7) million residents of this State.

VIII

Defendants have all received grants from LEAA within the last two (2) years and are expected to or have submitted grants for the upcoming fiscal year. The total amount of Federal money given to these cities in 1971 and 1972 through the LEAA program is $14,804,974. The funding for each city is shown in the following table:

TABLE I

City	1971 LEAA Funding*	1872 LEAA Funding*	Total Funding 1971-72*
1. Los angeles	$2,494,048	$2,781,826	$5,275,874
2. San Diego	971,820	239,518	1,211,338
3. San Francisco	1,100,343	1,867,931	2,968,274
4. San Jose	—	430	430
5. Oakland	254,069	484,603	738,672
6. Long Beach	301,407	128,695	430,102
7. Sacramento	1,416,151	31,937	1,448,088
8. Fresno	147,122	180,442	327,564
9. Glendale	216,422	64,800	281,222
10. Huntington Beach	112,475	—	112,745
11. Berkeley	53,700	5,248	58,948
12. Stockton	—	163,149	163,149
13. Pasadena	152,521	390,639	543,180
14. San Bernardino	109,705	58,705	168,410
15. Fremont	269,792	—	269,792
16. Sunnyvale	64,397	—	64,397
17. Hayward	47,000	—	47,000
18. Inglewood	210,812	101,118	311,930
19. Richmond	89,677	183,217	272,894
		GRAND TOTAL	$14,694,009

GRAVAMEN OF THE COMPLAINT

IX

Defendants' hiring and promotion practices discriminate against minorities and women and thereby frustrate a "necessary component" of effective implementation of the Omnibus Crime Control and Safe Streets Act of 1968. These practices violate the provisions of Title VI and Title VII of the Civil Rights Act, as amended in 1972, and the Equal Employment Opportunity Guidelines recently published by LEAA. See § 42.301 *et seq.*, Fed. Reg., Vol. 38, No. 46 (1973).

X

Complainants further contend that defendants will not be able to satisfy the non-discrimination requirements of the

*These figures are based on the 1971 and 1972 Annual Reports of the California Council on Criminal Justice.

LEAA Guidelines within one-hundred twenty (120) days of the March 9, 1973 date of the publication as required by the Guidelines; and therefore the funding of defendants' LEAA programs will be subject to termination or suspension (42 U.S.C.A. § 3757) *unless* the relief set forth, *infra*, (Paragraph XI) is immediately instituted.

RELIEF SOUGHT

XI

The relief sought is directed at redressing the grievances of minorities and women who have been the victims of discriminatory personnel practices in the police departments of defendant cities and insuring that defendant LEAA recipients will be able to effectively carry out LEAA programs which include all of the necessary components for reducing crime and delinquency:

FIRST: Convocation of a statewide conference of defendant LEAA recipients and complainants in San Francisco or Los Angeles within forty-five (45) days to pool resources and share ideas on the means available to achieve compliance with the March 9, 1973 LEAA Guidelines.

SECOND: Formal and active LEAA participation within the next twenty (20) days[1] in the Fair Employment Practices Commission's statewide investigation of discrimination against minorities and women in hiring police department personnel.[2] This investigation will focus on the twenty-eight (28) most populous cities in California, nineteen (19) of which have been named as defendants in this complaint, and all of which are current LEAA recipients or likely to be recipients in the future.

THIRD: Immediate elimination of all anti-ability or non-job-related testing in violation of the Equal Employment Opportunity Commission (EEOC) Guidelines (see 42

[1] LEAA's participation must commence within twenty (20) days because the FEPC will conduct a hearing on the final design of the investigation on May 3, 1973, in Los Angeles.

[2] See attached L.A. Times article dated March 14, 1973 describing the complaint which caused the FEPC investigation to be initiated (Exhibit A).

U.S.C.A. § 2000e *et seq.*, as amended in 1972), and the unanimous Supreme Court decision in *Griggs v. Duke Power Company*, 401 U.S. 424 (1971).

FOURTH: Immediate elimination of all non-job-related height requirements which disproportionately disqualify persons of Latin and Asian descent and women from police jobs and thereby violate the 1973 Equal Rights Guidelines of LEAA (see Fed. Reg., Vol. 38, No. 46, March 9, 1973).

FIFTH: Immediate elimination of all formal and informal non-job-related police personnel classifications based on sex.

SIXTH: Termination, or suspension as appropriate, of funding for all LEAA recipients who have not fulfilled LEAA's Equal Opportunity Guidelines or have not filed a satisfactory compliance plan by July 7, 1973 (i.e., 120 days from the promulgation of LEAA's March 9, 1973 Equal Opportunity Guidelines). A satisfactory compliance plan will include a timetable for achievement of population parity in employment of minorities by 1977 and substantial participation of women in all phases of police work for which they can objectively qualify.

DISCRIMINATION AGAINST MINORITIES

XXI

The March 9, 1973 LEAA Guidelines indicate that post-award compliance reviews of LEAA recipients will be initiated upon a finding that there exists a "significant disparity between the percentage of minority persons in the relevant population workforce and the percentage of minority employees in the agency." See Guidelines § 42.306(b). According to LEAA's standards, a "significant disparity" is deemed to exist if "the percentage of a minority group in the employment of the agency is not at least seventy percent (70%) of the percentage of that minority in the workforce population[3] in the relevant geographical area."

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[3]Complainants recommend that the minority workforce population percentage be determined on the basis of the percentage of minorities in the 18–24 age group, the primary age group from which future police candidates will be recruited.

See Guidelines § 42.306(c). The seventy percent (70%) threshhold figure for triggering a LEAA investigation reflects the Justice Department's understanding that underrepresentation of minorities in the police department results in communication gaps which significantly impede effective law enforcement.

XIII

Despite the barriers to successful crime prevention caused by discrimination against minorities, defendant LEAA recipients have refused to employ sufficient numbers of minorities. In Los Angeles, Black and Spanish-Surnamed people constitute more than thirty-six percent (36%) of the population; yet only eleven percent (11%)[4] of the police force are Black or Spanish-surnamed (360 Black and 392 Spanish-surnamed out of 7,037).

XIV

Similarly exclusionary patterns exist in San Diego and San Francisco, the second and third most populous cities in the State. In San Diego, twenty-one percent (21%) of the population is either Black or Brown, but the police department is only six percent (6%)[4] Black or Brown. In San Francisco, the comparable figures are twenty-eight percent (28) and eight percent (8%), (80 Black and 72 Spanish-surnamed out of 1,919).

XV

Discriminatory hiring practices in Oakland, the fifth largest city in the State, have had an even more drastic impact. Black and Spanish-surnamed persons almost constitute a majority (44%), but Blacks and Chicanos only represent nine percent (9%) of the police department (48 Black and 15 Spanish-surnamed out of 717).

XVI

In at least one of the smaller defendant cities, the police department's hiring practices have been absolute in their

[4]See Table II, *infra*, following Paragraph XVII for full statistics.

adverse impact on Spanish-surnamed people. In Richmond, a city which has a Spanish-surnamed population of 7,996, i.e., ten percent (10%) of the city's population, not a single person of Latin origin is employed by the police department.

XVII

All nineteen (19) defendant cities were sent questionnaires requesting data on their minority hiring record. Although approximately one-half of the defendant cities did not respond to the questionnaire (an apparent attempt to conceal their discriminatory record), enough cities did respond to provide a representative sample of discriminatory hiring on the part of California's LEAA recipients. The following table details the pattern of exclusionary hiring:

TABLE II

DISCRIMINATORY RESULTS OF
POLICE DEPARTMENT HIRING PRACTICES

City	Total Population	Total Number of Police	Black Pop. Number (%)	Black Police Number (%)	Black Police As % of the Black % of Workforce*	Spanish-Surnamed Pop. No. (%)	Spanish-Surnamed Police (%)	Span-Surn'd Police as % of Span-Surn'd % of Workforce*
Los Angeles	2,835,600	7,037	503,606 (18%)	360 (5%)	28%	518,791 (18%)	392 (6%)	33%
San Diego	718,100	965	52,961 (8%)	24 (2%)	25%	88,600 (13%)	38 (4%)	31%
San Francisco	703,300	1,927	96,078 (14%)	80 (4%)	29%	101,901 (14%)	72 (4%)	29%
San Jose	471,400	569	10,955 (2%)	8 (1%)	50%	97,637 (12%)	43 (7%)	58%
Oakland	361,561	717	124,710 (34%)	48 (7%)	21%	35,372 (10%)	15 (2%)	20%
Long Beach	358,633	618	18,991 (5%)	20 (3%)	60%	26,073 (6%)	20 (3%)	50%
Sacramento	268,000	595	27,244 (11%)	24 (4%)	36%	32,944 (13%)	35 (6%)	46%
Pasadena	112,981	192	18,256 (16%)	11 (6%)	38%	12,991 (12%)	7 (4%)	33%
Richmond	79,043	151	28,633 (35%)	16 (11%)	31%	7,996 (10%)	ø (ø%)	ø%

* [Minimum 70% required by LEAA] - thus all cities substantially below minimum.

SPECIFIC DISCRIMINATORY PRACTICES AGAINST MINORITIES

XVIII

The nineteen (19) defendant cities screen out Blacks and persons of Latin origin by using discriminatory and unlawful testing mechanisms which are generally non-job related or anti-ability. Many of such tests, upon information and belief, are in violation of the Supreme Court decision in *Griggs v. Duke Power Company* 401 U.S. 424 (1971) and the EEOC Guidelines as amended in 1972.

XIX

The nineteen (19) defendants cities non job-related, discriminatory testing has, upon information and belief, the effect of denying to high ability veterans who are Black or Spanish-surnamed opportunities for jobs that require skills less than those involved in carrying out their previous military responsibilities.

XX

Many of these cities, upon information and belief, rely primarily on the personal contacts of present and former policemen to encourage new applications. The result is that the grossly under-represented Black and Spanish-surnamed communities are inadequately informed of job opportunities in the police department when they arise.

XXI

Long Beach uses a rated oral interview and personal history as part of its selection process. The questions which are asked in the interview and personal history are highly subjective in that they are white-dominated and white-oriented. This aspect of the selection procedure is given a weight of forty percent (40%) in evaluating candidates. (See California Fair Employment Practices Commission § 1421 Investigation of the City of Long Beach—July, 1971.) Rating the oral interview and personal history creates a bias in favor of Anglos. Anglos as a group receive better educations and enjoy greater access to the job market than the

Black and Brown minorities in California. On the other hand, Blacks and Spanish-surnamed persons are likely to score lower because their verbal ability and personal history will reflect the disadvantages and deprivations normally associated with racial and ethnic discrimination. Upon information and belief, many of the defendant cities use oral interviews which are white-dominated and white-oriented to further exclude Blacks and persons of Latin origin from their police departments.

XXII

Police departments in defendant cities use minimum height requirements to disqualify a disproportionate number of Latin and Asian applications.[5] Statistics readily obtainable from the Selective Service Offices in California will document that minimum height requirements place an unequal burden on persons of Latin and Asian origin.

XXIII

The gross under-representation of Blacks and persons of Latin origin resulting from the unlawful employment practices of these cities also contributes to the virtual exclusion of Blacks and persons of Latin origin from the supervisory and command levels of their police departments. In all these cities internal seniority is one of the most important promotion criteria. Inevitably groups which are severely under-represented at the entry level will be similarly under-represented at higher levels.

DISCRIMINATION AGAINST WOMEN

XXIV

As to sex discrimination by the police departments of the nineteen (19) defendants, twelve (12) employ one percent (1%) or less women on their police force. Among the re-

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[5] "Employment Opportunities in Law Enforcement 1972," State of California, Department of Justice, Commission on Peace Officer Standards and Training.

maining seven (7), none employs more than five percent (5%) women.

XXV

The statistics on the number of women employed by these nineteen (19) LEAA recipients also reveal the extreme bias that has been directed at women aspirants for police jobs. The total number of uniformed police personnel employed by these LEAA recipients is 14,750. But of that total, only 303 or 2% are women.

XXVI

The following table illustrates the pattern of sex exclusion that has been established in each and every one of the defendant cities:

TABLE III*

Sex Discrimination In Defendant Police Departments

CITY	TOTAL Uniformed Police	Male Police	(%)	Female Police	(%)
Los Angeles	7,193	6,999	(97%)	194	(3%)
San Diego	1,000	986	(99%)	14	(1%)
San Francisco	1,927	1,918	(99.5%)	9	(.5%)
San Jose	560	548	(98%)	12	(2%)
Oakland	730	723	(99%)	7	(1%)
Long Beach	700	673	(96%)	27	(4%)
Sacramento	529	525	(99%)	4	(1%)
Fresno	311	303	(99%)	3	(1%)
Glendale	160	152	(95%)	8	(5%)
Huntington Beach	147	146	(99%)	1	(1%)
Berkeley	215	204	(95%)	11	(5%)
Stockton	196	189	(95%)	7	(4%)
Pasadena	193	193	(100%)	0	
San Bernardino	186	185	(99.5%)	1	(.5%)
Fremont	103	102	(99%)	1	(1%)
Sunnyvale	180	180	(100%)	0	
Hayward	108	106	(98%)	2	(2%)
Inglewood	147	146	(99%)	1	(1%)
Richmond	165	164	(99.5%)	1	(.5%)

*The statistics in this table were taken from "Employment Opportunities in Law Enforcement 1972" State of California Department of Justice, Commission on Peace Officer Standards and Training and slightly differ from those in Table II due to date differentials.

SPECIFIC DISCRIMINATORY PRACTICES AGAINST WOMEN

XXVII

Discrimination against women begins at the entry level. In Oakland, and upon information and belief, in other defendant cities, women are required to meet higher educational standards than men to qualify as a police department trainee, and then often take different selection exams.[6]

XXVIII

Another barrier to entry, and perhaps the most arbitrary and severely discriminatory one, is the common practice of imposing minimum height and weight requirements. (Statistics showing the adverse impact of these requirements can be obtained from the California Department of Motor Vehicles.) The requirements have been maintained without any systematic inquiry into their relevance to effective police performance by women. As a result of this unquestioned tradition, the majority of the able and willing women candidates for police work in the defendant cities are precluded from even demonstrating their ability in training programs.

XXIX

The women's training programs of defendant cities' police departments also reflect a deliberate scheme of discrimination. Women are normally trained separately from men. Furthermore, the women's training is designed to track women into narrowly defined, specialized fields with limited promotion opportunities. Most women employed by these LEAA recipients are channeled directly into juvenile work or simply relegated to clerical duties.

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[6] Oakland Civil Service's proposed revision, (next hearing April 17 1973) will be even more exclusinary since it sets a 5'7" height minimum for all candidates and, in effect, denies present women police officers promotional opportunities based on past police experience as a basis for future promotions.

XXX

The denial of patrol duty training and experience has a particularly adverse impact on the future promotion opportunities of women police personnel since individuals with patrol experience have the widest range of promotion opportunities within the department and some cities exercise a "Catch-22 clause" by prohibiting women from patrol positions and limiting promotions to those with patrol experience.

XXXI

The clearly sexist rationale for excluding women from patrol duty has been exposed by the experience of European nations and a few American cities. In Britain and Israel women are widely used for patrol duty. Since 1968 in Indianapolis, Indiana and 1971 in Peoria, Illinois, women have been regularly given patrol car assignments. In all cases the experiments have proved so successful that the police chiefs have expanded the role of women as patrol officers.

XXXII

Access to promotional exams has been manipulated by defendants to deprive women of an equal opportunity for advancement in the police department. For example, in San Francisco the department, upon information and belief, refused to allow women to take exams for promotion.[7] In other defendant cities women are only permitted to take exams for promotion when vacancies open in the few command positions that have been specially designated for women.

XXXIII

Finally the structure of the police departments of the defendant cities is frequently organized to segregate women into a separate and distinct bureau. This structure forces

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[7] Catherine Milton, "Women in Policing", p. 18, Police Foundation, 1972.

women onto a truncated career ladder that diverts them from jobs as investigators, technicians, administrators, etc. As a result the police departments are never able to avail themselves to the full potential of their women officers.

CONCLUSION

XXIV

Complainants contend that an investigation will document an Anglo male ethnic and racial domination of each and every LEAA recipient's police department of such magnitude as to effectively and illegally deny to minorities and women the equal employment and promotional opportunities which are their right under the law and the Justice Department's regulations.

XXXV

Complainants further contend that conducting an investigation and granting the relief sought in paragraph XI are essential to enable the named LEAA recipients to continue receiving funding for the implementation of programs with all the necessary components to effectively reduce crime and deliquency in California cities.

THEREFORE IT IS RESPECTFULLY PRAYED THAT THE AFOREMENTIONED RELIEF, PARAGRAPH XI, BE INSTITUTED AS EXPEDITIOUSLY AS POSSIBLE AND THAT THE COMPLAINANTS BE FORMALLY APPRISED OF THE PROCEEDINGS AT THIRTY DAY INTERVALS.

DATED: April 10, 1973

Respectfully submitted on behalf of the

AMERICAN G.I. FORUM; BLACK WOMEN ORGANIZED FOR ACTION; LEAGUE OF UNITED LATIN-AMERICAN CITIZENS; THE MEXICAN-AMERICAN POLITICAL ASSOCIATION; THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, (NAACP) WESTERN REGION; THE NATIONAL ORGANIZATION FOR

WOMEN (NOW); AND THE SPANISH-SPEAKING UNITY COUNCIL BY:

/s/ _____

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LOS ANGELES TIMES
March 14, 1973

28 Police, Fire Depts. Accused of Race Bias

L.A. Included Among Cities Named in Suit on Hiring Practices

BY PHILIP HAGER
Times Staff Writer

SAN FRANCISCO—Police and fire departments in 28 California cities, including Los Angeles, were accused Tuesday of discriminatory employment practices that have resulted in a "gross underrepresentation" of racial minorities.

The allegation was made in a complaint filed here before the state Fair Employment Practices Commission by four organizations representing blacks and Mexican-Americans.

Described by lawyers for the organizations as the first of its kind, the complaint cited statistics that show blacks and Spanish-named persons make up 5% of the firemen and 9% of the police in the 28 cities, while combined they make up 27% of their general populations. The complaint said the statistics were drawn from U.S. Census and municipal data.

It asks the FEPC to order the departments to initiate minority hiring programs that would produce "population parity" in 1977 and "command and supervisory parity" by 1982.

Lack Comparative Figures

In response to an inquiry, a spokesman for the Los Angeles Police Department, one of the named agencies, said the recruitment efforts in recent years had resulted in steady gains in the number of minority officers.

At present, he said, of 7,111 officers, 506 are black, 399 of Latin descent, 26 Oriental and 21 other minorities. Detailed comparative figures were not immediately available, but according to [illegible] at time of the Watts riot in August, 1965, there were 295 black officers and fewer than nine among 5,080.

Sgt. A. L. Trailer, in charge of recruitment for the LAPD, said that a six-month minority drive by the department brought 61 new minority officers. Recently, he said, the number of minority group members graduating at the Police Academy had been doubled.

Trailer acknowledged that the department still encounters "some resistance" to recruiting in minority communities and competition from other prospective employers in hiring qualified blacks and Mexican-Americans. "Everybody—business, industry and other government agencies—is looking for qualified minority group members," he said.

Please Turn to Page 23, Col. 1

Bias Charged in Police, Fire Depts. Hiring

Continued from Third Page

The complaint also said that the Los Angeles Fire Department—which has already been charged with discrimination in hiring in a federal complaint—has only 49 blacks and 94 Spanish-named firemen in a force of 3,150. These two minority groups make up 28% of the city's population of 2,845,600, the complaint said.

The action was filed by officers of the western regional office of the National Assn. for the Advancement of Colored People, the League of United Latin-American Citizens, the American G.I. Forum and the Mexican American Political Assn. The complaints were [illegible] by attorneys for Public Advocates Inc., a privately financed, public interest law firm in San Francisco.

The municipal agencies were charged in the complaint with using "discriminatory and unlawful testing mechanisms which are generally nonrelated and antiability."

Exams Criticized

Such "mechanisms," it said, included "white-dominated and white-oriented" questions in oral exams.

Asked for specific examples, Robert Gnaizda, an attorney, and Tom Williamson, an investigator for Public Advocates, said recent applicants to the San Francisco fire department have been asked: "Who was Van Gogh?" "This is not a trick: what is twice one-half of 2-and-a-half?" "Do you know a fire chief?" "What is a rubber?" (The answer: a term used in bridge.)

Questions of this nature — and others involving grammar, trigonometry and calculus—have nothing to do with the ability to be a fireman and often work to the disadvantage of minority applicants, Gnaizda said.

On certain tests, the complaint said, blacks and Mexican-Americans "... are likely to score lower because their verbal ability and personal history will reflect the disadvantages and deprivations normally associated with racial and ethnic discrimination."

8,000 Jobs Forecast

At a news conference here, Leonard Carter, director of the western office of the NAACP, said an order by the FEPC granting population parity to minorities would provide some 8,000 jobs for blacks and Mexican-Americans in police and fire departments in the 28 cities.

At present, these minorities make up 25% of the eligible applicants for fire and police jobs, he asserted.

"As the situation stands now," Carter said, "minority community residents often look upon their local police and firemen as members of a hostile, occupying army."

In addition to Los Angeles and San Francisco, fire and police departments in the following cities were named in the complaint: San Diego, San Jose, Oakland, Long Beach, Sacramento, Anaheim, Fresno, Santa Ana, Riverside, Torrance, Glendale, Huntington Beach, Garden Grove, Berkeley, Stockton, Pasadena, San Bernardino, Inglewood, Sunnyvale, Hayward, Norwalk, Santa Clara, Inglewood, Pomona, Richmond and Bakersfield.

Best Copy Available

ADDITIONAL EXHIBIT

AMERICAN G.I. FORUM
132 Tropicana Drive
Oceanside, California 92054

BLACK WOMEN ORGANIZED FOR ACTION
1351 Divisadero Street
San Francisco, California 94115

LEAGUE OF UNITED LATIN-AMERICAN CITIZENS
2029 West First Street
Santa Ana, California 92703

MEXICAN-AMERICAN POLITICAL ASSOCIATION
313 North Blackstone
Fresno, California 93701

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
Western Region
995 Market Street, 16th Floor
San Francisco, California 94103

NATIONAL ORGANIZATION FOR WOMEN
Suite 1209, Milis Tower
220 Bush Street
San Francisco, California 94104

SPANISH-SPEAKING UNITY COUNCIL
1248 - 35th Avenue
Oakland, California 94601

LARSON AFFIDAVIT
EXHIBIT F
Law Offices of
Public Advocates, Inc.
14 July 1975

Mr. Herbert C. Rice, Director
Office of Civil Rights Compliance
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
United States Department of Justice
Washington, DC 20530

Re: *Civil Rights Complaint before the U.S. Department of Justice Law Enforcement Assistance Administration concerning the police departments of nineteen California cities* (filed April 12, 1973)

Dear Mr. Rice:

I am hereby formally requesting an update on the status of the nineteen cities complaint filed by this office on behalf of a coalition of minority and women's organizations in California against nineteen California police departments. Since counsel in this case was originally my former associate, Robert L. Gnaizda, it might be useful for me to update what I believe has happened so far.

Pursuant to the original filing of this complaint, you and some of your national staff members journeyed to California to meet with Mr. Gnaizda and representatives of the coalition. Subsequent thereto, L.E.A.A. communicated with all nineteen police departments, requesting information as to their employment activities. L.E.A.A. also, in 1974, instigated an on-site investigation of three of the nineteen cities: Berkeley, San Diego, and San Francisco. Following that investigation, we were informed that L.E.A.A. was concerned about the lack of police services available to the Chinese community in San Francisco. A meeting was arranged with representatives of San Francisco's ethnic communities on this topic. Correspondence on this topic circulated between the Police Department and L.E.A.A.; between L.E.A.A. and Public Advocates, as the Plaintiffs' representative; and between the Plaintiffs and L.E.A.A.

With the exception of the above discussions and corre-

spondence, we have received nor formal notification from L.E.A.A. as to the progress of the investigation in the other subject cities—San Diego and Berkeley; we have received no notification of planned or pending action by L.E.A.A. on this complaint with regard to any or all nineteen of the Defendant cities.

If I have omitted anything material which has occurred, please so indicate in your response.

We look forward to hearing from you at your earliest convenience on the present status of this complaint, and the proposed course which future L.E.A.A. actions are going to take concerning the nineteen cities.

Very truly yours,

WILLIAM H. HASTIE, JR.

WHH:mat

LARSON AFFIDAVIT
EXHIBITS G & H

AMERICAN CIVIL LIBERTIES UNION
22 East 40th Street
New York N.Y. 10016
(212) 725-1222

January 20, 1975

Herbert C. Rice, Director
Office of Civil Rights Compliance
Law Enforcement Assistance Administration
United States Department of Justice
Washington, D.C. 20530

Dear Herb:

Please consider this letter a formal request under the Freedom of Information Act for the following documents, and materials:

1. All lists, reports or other documents indicating the number of complaints, charges or letters received by LEAA, its agents or employees, alleging discrimination against an LEAA recipient or subgrantee, and/or against any governmental law enforcement agency, for each of and/or any part of the past five calendar or fiscal years.

2. All lists, reports or other documents, with reference to #1 above, indicating the respondent LEAA recipients or subgrantees and/or the respondent government law enforcement agencies.

3. All lists, reports or other documents, with reference to #1 and #2 above, indicating the disposition and/or status of all such complaints, charges or letters.

4. Any reports or other documents indicating the results of any and all civil rights compliance surveys, or other civil rights surveys, taken of LEAA recipients or subgrantees, of potential recipients or subgrantees, and/or of governmental law enforcement agencies, at any time from 1971 to and including the present date.

5. All questionnaires or other underlying documents used in reference to #4 above.

6. All reports or other documents indicating the initiation and/or status of any specific civil rights compli-

ance reviews conducted by LEAA upon any LEAA recipient or subgrantee, any potential recipient or subgrantee, and/or any governmental law enforcement agency, at any time from 1971 to and including the present date.

I would appreciate a response to this request as soon as possible. In your response, please indicate your preferred date, time and location for my inspection and copying of the aforementioned documents.

Thank you for your assistance.

Sincerely,

/s/ _____

E. RICHARD LARSON
National Staff Counsel

ERL:mm

AMERICAN CIVIL LIBERTIES UNION
22 East 40th Street
New York, N.Y. 10016
(212) 725-1222

April 28, 1975

William K. Triplett
Office of Civil Rights Compliance
Law Enforcement Assistance Administration
Department of Justice
Washington, D.C. 20530

RE: FOIA Request

Dear Bill:

I enjoyed meeting you, Henry Tribble, and Andy Strojny last week.

As a follow-up, I'd like to confirm my understanding of our discussions about my FOIA request.

Request 1: You will provide me with a copy of the one-page summary document you showed me.

Request 2 & 3: Through Henry Tribble, you will provide me with copies of the four different sets of docket sheets which he showed me. If Henry finds any other docket sheets which are relevant to the Request, I would appreciate receiving copies of those also.

Request 4 & 5: I will visit with you and/or Winifred Dunton at some future time to review the one volume report on the responses to the 2000/1 Form survey. I'll give you a call beforehand to make sure the volume is back in your office.

Request 6: Through Andy Strojny, you will provide me with a copy of the compliance review status report being prepared by Andy for Rev. Joiners. At a subsequent time, I may request copies of the special conditions attached to grants under preaward reviews.

Thank you for your time, Bill; I look forward to receiving copies of the above documents.

Sincerely,

/s/ _____

E. RICHARD LARSON
National Staff Counsel

ERL:mm

UNITED STATES DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE
ADMINISTRATION
WASHINGTON, D.C. 20530

May 19, 1975

Mr. E. Richard Larson
National Staff Counsel
American Civil Liberties Union
22 East 40th Street
New York, New York 10016

Dear Richard:

This is an update on your former request for information. The material enclosed with this letter is a result of a personal discussion you had with various members of the OCRC staff near the end of April, 1975.

Enclosed with this letter are the materials you requested at that meeting, and the information resulting from the 2000/1 Form survey is presently available at our offices for your inspection, as requested.

Should you have any further questions in the interim, please feel free to contact Mr. William K. Triplett of this staff.

Sincerely,

/s/ _____

HERBERT C. RICE, DIRECTOR
Office of Civil Rights Compliance

COMPLIANCE REVIEWS
SWORN FORCE EMPLOYMENT NOW AND THEN

Department	Sworn Force March/April 1975			Sworn Force Time of Review		Reference Populations Based on 1970 Census Figures	
St. Louis Mo.P.D.	Total	2236		2230	3/72	City	City & Count
	Black	379	16.9%	343	15.4%		
	SSA	N.D.		N.D.		41.4%	19.1%
	Women	35	1.6%	N.D.			
Dallas Texas Police Department	Total	1971		1816	3/72	City	SMSA
	Black	81	4.1%	40	2.2%	24.9%	15.8%
	SSA	53	2.7%	24	1.3%	7.7%	6.2%
	Women	73	3.7%	N.D.			
Cleveland, Ohio Police Department	Total	2283		2289	Fall/72	City	SMSA
	Black	201	8.8%	167	7.3%	38.3%	16.1%
	SSA	4	.2%	2	.1%		
	Women	50	2.2%	48	2.1%		
Portland, Oregon Police Department	Total	730		738	12/72	City	SMSA
	Black	8	1.1%	6	.8%	5.6%	2.3%
	SSA	4	.5%	7	.9%	1.7%	1.4%
	Women	28	3.8%	18	2.4%		
Atlanta, Georgia Police Department	Total	1551		1193	1/73	City	SMSA
	Black	390	25.1%	206	17.3%	51.3%	22.3%
	SSA	0	0	N.D.			
	Women	131	8.4%	16	1.3%		
Phoenix, Arizona Police Department	Total	1388		1258	2/73	City	SMSA
	Black	40	2.9%	37	2.9%	(age 20-34) [illegible]%	3.1%
	SSA	102	7.3%	82	6.5%	15.4%	15.7%
	Women	28	2.0%	24	1.9%		

Baltimore, Md. Police Department	Total	3348		3339	2/73		City	SMSA
	Black	459	13.7%	417	12.5%		46.4%	23.6%
	SSA	7	.2%	5	.1%		.9%	.9%
	Women	58	1.7%	37	1.1%			
New Orleans, La. Police Department	Total	1456		1325	3/73		City	SMSA
	Black	133	9.1%	99	7.5%	(ages 20-34)	44.6%	29.0%
	SSA	82	5.6%	N.D.				
	Women	19	1.3%	13	1.0%			
San Diego, Calif. Police Department	Total	1108		1044	4/73		City	SMSA
	Black	34	3.1%	28	2.7%		7.6%	4.6%
	SSA	58	5.2%	44	4.2%		12.7%	13.0%
	Oriental	8	.7%	2	.2%		2.7%	2.4%
	Women	56	5.1%	22	2.1%			
Newark, New Jersey Police Department	Total	1633		1651	5/73		City	SMSA
	Black	295	18.1%	263	15.9%		54.2%	18.8%
	SSA	35	2.1%	22	1.3%		19.1%	6.7%
	Women	7	.4%	10	.6%			
Denver, Colorado Police Department	Total	1379		1295	6/73		City	SMSA
	Black	70	5.1%	56	4.3%		9.1%	4.1%
	SSA	126	9.1%	92	7.1%		16.8%	11.3%
	Women	36	2.6%	21	1.6%			
Las Vegas, Nevada Metro. Police Dept.	Total	709		698	6/73		City	SMSA
	Black	22	3.1%	18	2.6%	(ages 20-34)	11.0%	9.3%
	SSA	8	1.1%	5	.7%		5.7%	6.2%
	Women	28	3.9%	15	1.0%			
Berkeley, Calif. Police Department	Total	188		171	7/73		City	SMSA
	Black	29	15.4%	8	4.7%		23.5%	10.6%
	SSA	8	4.3%	1	.6%		5.5%	12.0%
	Oriental	8	4.3%	1	.6%		7.1%	5.7%
	Women	8	4.3%	12	7.0%			

South Carolina Highway Patrol	Total	723		671	8/73		
	Black	29	4.0%	17	2.5%	(age 20-34)	City 25.4% SMSA Statewide
	SSA	0		N.D.			
	Women	0		0			
San Francisco, Calif. Police Department	Total	1815		1927	8/73		
	Black	82	4.5%	85	4.4%		City 13.4% SMSA 10.6%
	SSA	66	3.6%	78	4.0%		City 14.2% SMSA 12.0%
	Oriental	14	.8%	17	.9%		City 13.9% SMSA 5.7%
	Women	12	.7%	13	.7%		
Norfolk, Virginia Police Department	Total	543		532	3/74		
	Black	38	7.0%	31	5.8%		City 28.3% SMSA 24.7%
	SSA	0		0			City 1.6% SMSA 1.2%
	Women	15	2.8%	6	1.1%		
All of the Above Departments	Total	23061		22177			
	Black	2290	9.9%	1821	8.2%		
	SSA*	553	2.4%	362**	1.6%		
	Women	584	2.5%	255***	1.1%		

(*Excludes St. Louis P.D.)

(**Excludes St. Louis, New Orleans P.D. and South Carolina Highway Patrol)

(***Excludes St. Louis & Dallas P.D.)

N.D. = Not Determined
Black = Black officers
SSA = Officers of Mexican, Puerto Rican, Cuban, Latin American or Spanish descent.
Oriental = Officers of Japanese, Chinese, Korean, or Philipine descent

SMSA = Standard Metropolitan Statistical Area

Sworn Force = Self defined by Department

Henry C. Tribble, Chief
Complaints Division
Office of Civil Rights Compliance

April 8, 1975

[illegible]
[illegible] Division
[illegible] Civil Rights Compliance
[illegible] on all cases

[illegible]:

[illegible] Cases 6

[illegible] 2

Closed 34

Cases Received in 1972 42

1973:

Active Cases 19

Inactive 17

Closed 28

Cases Received in 1973 64

1974:

Active Cases 52

Inactive 29

[illegible] 20

[illegible] in 1974 101

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1975:

Active Cases 79

[illegible] 6

Closed 2

Cases Received in 1975 87

** Eight Cases have closed since January, 1975

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Dreda Ford
Civil Rights Commission

February 26, 1975

[illegible] C. Tribble
[illegible] of Civil Rights Compliance
Complaints Division

Information Requested

Fiscal Year 1975	71 cases	
	1 closed	
	70 open	
Fiscal Year 1974	101 cases	
	18 closed	
	83 open	
Fiscal Year 1973	64 cases	
	27 closed	
	37 open	
Fiscal Year 1972	42 cases	
	36 closed	
	6 open	

Total cases received 278

Total cases open 196

Total cases closed 82

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Henry C. Tribble, Chief
Complaint Division
Office of Civil Rights Compliance

February 13, 1975

Linda Medina
Complaint Division
Office of Civil Rights Compliance

Information requested for Civil Rights
Commission report

Fiscal Year 1975 ..... 71 cases
- 1 closed
70 open cases

Fiscal Year 1974 .....101 cases
- 18 closed
83 open cases

Fiscal Year 1973 ..... 64 cases
- 27 closed
37 open cases

Fiscal Year 1972 ..... 42 cases
- 31 closed
11 open cases

Total cases received 278

Total cases open 201

Total cases closed 77

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February 26, 1975

Ford
Editor Writer
U.S. Commission on
Civil Rights
1121 Vermont, N.W. #606
Washington, D.C. 20425

Dear Ms. Ford:

Enclosed, herewith, please find parts one, two and three of the report from the Complaints Division, Office of Civil Rights Compliance.

If further information is needed, please feel free to contact us.

Sincerely,

/s/ _____
HERBERT C. RICE, DIRECTOR
Office of Civil Rights Compliance

By:

Henry C. Tribble, Chief
Complaints Division
Office of Civil Rights Compliance

F/Y 1972-71 Cases Docketed

Discrimination Category	No.	%
Employment	65	91.5%
Services	2	2.3%
Facilities	2	2.8%
Employment and Facilities	1	1.4%
Employment, Facilities & Services	1	1.4%

Basis of Discrimination

Race/Color	25	35.2%
National Origin	3	4.2%
Religion	1	1.4%
Sex	23	32.3%
Race and Sex	8	11.2%
Race and National Origin	6	8.4%
National Origin and Sex	3	4.2%
Race, National Origin and Sex	2	2.8%

F/Y 1974 101 Cases Docketed

Discrimination Category		
Employment	92	91.0%
Services	3	3.0%
Facilities	0	0
Employment and Services	2	2.0%

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Employment and Facilities	1	.9%
Facilities and Services	3	3.0%

Basis of Discrimination

Race/Color	38	37.6%
National Origin	12	11.8%
Religion	0	0
Sex	33	32.6%
Race and Sex	10	9.9%
National Origin and Sex	5	4.9%
Race and National Origin	0	0
Race, National Orgin and Sex	3	2.9%

F.Y 1973 64 Cases Docketed
Discrimination Category

Employment	60	93.8%
Services	1	1.6%
Facilities	0	0
Facilities and Employment	2	3.1%
Services and Employment	1	1.6%

Basis of Discrimination

Race/Color	34	53.1%
National Origin	4	6.2%

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[illegible]tion	3	4.6%
Sex	18	28.1%
Race and Sex	3	4.6%
Race and National Origin	2	3.1%

/. 3.72 42 Cases Docketed
[illegible] Cabin Category

Employment	39	92.9%
Services	1	2.4%
Retaliation	2	4.8%

Basis of Discrimination

Race/Color	38	90.4%
National Origin	2	4.7%
Sex	2	4.7%

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[illegible]

[illegible]

[illegible] Your Field Visit 29

[illegible] Our Field Visit 7

[illegible] Waiting for Resolution Visit 20

[illegible] Ready for Resolution Visit 8

[illegible] Monitoring Resolution 23

Other 38

Inactive

HEW Referral 6

Awaiting CIVR Action 7

Awaiting FEPC or EEOC Action 5

Awaiting CRS Action 2

Referred CIVR for Litigation 2

Monitoring Private Litigation 8

Other 36

Fiscal Year 1975 ..... 71 Cases
1 Closed
70 Open

Fiscal Year 1974 .....101 Cases
18 Closed
83 Open

Fiscal Year 1973 ..... 64 Cases
27 Closed
37 Open

Fiscal Year 1972 ..... 42 Cases
36 Closed
6 Open

Total cases received 278

Total cases open 196

Total cases closed 82

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Lall Hurrings
Office of Civil Rights Compliance

January 17, 1975

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Civil Rights Compliance

...n of cases by Discrimination Category and ... of Discrimination

1975:

... Docketed

Discrimination Category	Basis of Discrimination
Employment.....92	Race/Color.....
Services..... 7	National Origin..11
Facilities.... 3	Religion..... 1
	Sex.....36

1974:

101 Cases docketed

Discrimination Category	Basis of Discrimination
Employment.....92	Race/Color.....
Services..... 8	National Origin..22
Facilities..... 4	Religion..... 0
Other..... 3	Sex.....51

1973:

64 Cases docketed

Discrimination Category	Basis of Discrimination
Employment.....57	Race/Color.....
Services..... 1	National Origin.. 6
Facilities..... 2	Religion..... 3
Other..... 4	Sex.....23

2

1972:

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[illegible]
[illegible]
[illegible] 1
[illegible] 2
[illegible] 0

Basis of [illegible]
Race/Color.....
National Origin... 3
Religion..... 0
Sex..... 2

** Please note that cases may have more than 1 discrimination category and basis of discrimination

NUMERICAL BREAKDOWN

ASE #	INVEST/ATTY	ACTIVE	INACTIVE	STATE	STATUS
72-C-007	Henry Tribble		X	Ken.	awaiting FrPC or FCC action
72-C-009	Henry Tribble	X		Tenn.	preparing for resolution visit
72-C-017	Henry Tribble Dave Tevelin	X		N.Y.	preparing for field visit
72-C-019	Henry Tribble	X		Miss.	monitoring
72-C-020	Dave Tevelin	Closed		Ala. Fla.	monitoring
72-C-022	Henry Tribble	Closed		Ala. Fla.	monitoring
72-C-027	Henry Tribble C.L. Watkins	X		N.C.	monitoring
72-C-032	Henry Tribble	X		Ala.	to be administratively closed
72-C-037	Dave Tevelin	Closed		Ala.	Closed
72-C-041	Ron Branch	X		Texas	monitoring
73-C-002	Henry Tribble	X		S.C.	preparing for resolution visit
73-C-003	Henry Tribble	X		Calif.	monitoring
73-C-004	Ron Branch	X		Wisc.	preparing for resolution visit
73-C-005	C.L. Watkins	Closed		Fla.	Closed
73-C-008	Henry Tribble	X		Mo.	monitoring
73-C-011	C. Jones	Closed		Miss.	Closed
73-C-012	Ernie Fuentes			Va.	monitoring
73-C-015	Ron Branch	X		Wash.	monitoring
73-C-017	Ernie Fuentes	X		Calif.	ready for resolution visit
73-C-020	C. Jones	X		Grenada Miss.	evaluate materials
73-C-021	C. Jones	X		Grenada Miss	evaluate materials
73-C-022	C. Jones	Closed		Va.	write letters
73-C-023	C. Jones	Closed		Va.	write letters
73-C-024	C. Jones	X		Fla.	request monitoring report
73-C-025	Henry Tribble		X	Hawaii	referred CIVR for litigation
73-C-026	Henry Tribble		X	Hawaii	referred CIVR for litigation
73-C-027	C.L. Watkins		X	La.	monitoring private litigation
73-C-028	Henry Tribble		X	La.	monitoring private litigation
73-C-029	Ron Branch	X		La.	monitoring
73-C-031	Ron Branch	X		Texas	monitoring
73-C-032	Henry Tribble		X	Ind.	
73-C-034	Ron Branch	X		Texas	monitoring
	Henry Tribble				monitoring w.r.t.

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NUMERICAL BREAKDOWN

CASE #	INVEST/ATTY	ACTIVE	INACTIVE	STATE	STATUS
73-C-039	DT	X		N.Y.	Preparing Resl. Visit
73-C-042	DT	X		N.Y.	"
73-C-044	RB		X	N.C.	Awaiting CIVR Action
73-C-046	HCT		X	Ill.	Monitoring agreement w/EEOC & OCRC
73-C-049	HCT		X	Ca.	Referred to OCRC Review Division
73-C-050	HCT		X	Penn.	To be reviewed re: jurisdiction
73-C-051	HCT	X		La.	Awaiting Response to Resl. letter
73-C-054	HCT		X	Miss.	HEW Referral
73-C-055	CJ	X		Md.	Review of Data
73-C-056	HCT		X	Ill.	HEW Referred
73-C-057	CJ	X		Ky.	Preparing for Field V
73-C-058	CJ	X		Ky.	"
73-C-060	RB		X	Ca.	Monitoring Priv. Liti
73-C-061	HCT		X	MD.	Awaiting CIVR Action
73-C-062	RD	X		Fla.	Monitoring
74-C-001	DT	CLOSED	CLOSED	Penn.	CLOSED
74-C-002	RB		X	Ga.	
74-C-008	RB		X	Ga.	
74-C-009	RD	X		Ill.	Preparing Resl. Visit
74-C-010	RB	X		Ga.	Monitoring
74-C-011	RB	X		Ga.	"
74-C-012	RB	X		Ga.	"
74-C-013	RB	X		Mass.	"
74-C-014	HCT	X		Fla.	Preparing Rsl. Visit
74-C-015	HCT/CW	X		Fla.	Preparing Rsl. Visit
74-C-018	HCT		X	Missouri	HEW Referral
74-C-019	RB	CLOSED	CLOSED	Ca.	CLOSED
74-C-020	EF	X		Va.	Preparing Field Visit
74-C-021	EF	X		Tx.	"
74-C-022	CW	CLOSED	CLOSED	Fla.	CLOSED
74-C-025	EF		X	Ca.	Closing, No Juris.
74-C-026	DT		X	D.C.	Hired; Closed

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NUMERICAL BREAKDOWN

CASE #	INVEST/ATTY	ACTIVE	INACTIVE	STATE	STATUS
74-C-029	EF	X		Fla.	Monitoring
74-C-030	DT	X		Wash.	Preparing Field Visi
74-C-031	HCT		X	Ca.	Monitoring Prv. Liti
74-C-033	HCT		X	Ca.	"
74-C-035	DT	X		N.Y.	Preparing Field Visi
74-C-037	HCT	X		Ga.	Ready for Field Visi
74-C-038	HCT	X		Ga.	"
74-C-040	RD	X		Md.	Preparing Resl. Visi
74-C-044	HCT	X		Tx.	Monitoring
74-C-045	HCT	X		Tx.	Preparing Resl. Visi
74-C-046	CJ	X		Va.	Review of Data
74-C-048	HCT		X	N.J.	Awaiting CIVR Action
74-C-049	HCT	X		Missouri	Ready for Field Visi
74-C-050	HCT	X		Missouri	"
74-C-052	EF	X		Tx.	Preparing for Field V
74-C-053	HCT	X		Tenn.	Preparing RESL. Visi
74-C-054	RB		X	N.Y.	Need additional information
74-C-055	EF	X		Az.	Monitoring
74-C-005	EF	X		Ks.	"
74-C-056	HCT		X	Ill.	HEW Referral
74-C-057	HCT	X		Fla.	Ready for Field Visi
74-C-058	EF		X	Tx.	Awaiting CIVR Action
74-C-059	EF	X		Tx.	Preparing Field Visi
74-C-060	HCT		X	Ill.	Referred to CIVR for Litigation
74-C-062	EF	X		Ca.	Monitoring
74-C-063	EF		X	Ks.	K.C. Monitoring
74-C-064	EF		X	Ks.	"
74-C-065	HCT		X	Wisc.	HEW Referral
74-C-066	HCT		X	La.	Monitoring Priv. Lit
74-C-068	CW		X	Tx.	being Cloned

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NUMERICAL BREAKDOWN

CASE #	INVEST/ATTY	ACTIVE	INACTIVE	STATE	STATUS
74-C-069	HCT	X		Ga.	Ready for Field Visi
74-C-071	HCT		X	Ill.	HEW Referral
74-C-072	EF	X		Ca.	Preparing for Resl.V
74-C-073	HCT	X		Fla.	Ready for Field Visi
74-C-074	DT	X		Ala.	Monitoring
74-C-075	DT	X		Ala.	"
74-C-076	RB	X		Conn.	Monitoring
74-C-077	RB	X		Va.	Preparing Resol. Vis
74-C-078	HCT	X		Fla.	Ready for Field Visi
74-C-079	HCT	X		Fla.	"
74-C-080	EF		X	Ks.	K.C. Monitor Report
74-C-082	RD	X		Fla.	Preparing for Field Vis
74-C-083	RD	X		Fla.	"
74-C-084	HCT	X		Wisc.	Ready for Field Visi
74-C-085	RD	X		Ca.	Needs Additional Inf
74-C-086	HCT		X	Ill.	HEW Referral
74-C-088	EF	X		Nev.	Monitoring
74-C-089	HCT		X	Conn.	Awaiting FEPC/EEOC A
74-C-090	CW	X		Mass.	Corresponding
74-C-091	EF	X		Ca.	Ready for Resol. Vis
74-C-093	HCT	X		Maine	Ready for Field Visi
74-C-094	HCT		X	Tx.	Awaiting CIVR Action
74-C-095	HCT		X	Tx.	"
74-C-096	DT	X		Wash.	Preparing Field Visi
74-C-097	DT	X		Wash.	"
74-C-099	HCT	X		Neb.	Ready for Field Visi
74-C-101	HCT	X		Wisc.	"
75-C-001	EF	X		Nev.	Monitoring
75-C-002	HCT	X		Conn.	Ready for Field Visi
75-C-003	DT	X		S.C.	Preparing for Field
75-C-004	RD	X		Fla.	Unsubstantial Investigation
75-C-005	EF	X		Nev.	Monitoring
75-C-006	RB	X		Va.	Monitoring

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NUMERICAL BREAKDOWN

CASE #	INVEST/ATTY	ACTIVE	INACTIVE	STATE	STATUS
75-C-008	HCT		X	S.C.	HEW Referral
75-C-009	CW	X		Ca.	Corresponding
75-C-010	CW	X		Fla.	Requesting Info/Resp
75-C-011	CW	X		Conn.	Waiting for response
75-C-012	RB	X		Ia.	Monitoring
75-C-013	DT		X	N.Y.	Awaiting FEPC or EEOC Action
75-C-014	DT	X		Mich.	Preparing Field Visit
75-C-015	RB	X		Ia.	Monitoring
75-C-16	DT	CLOSED	CLOSED	Ill.	CLOSED
75-C-017	EF	X		Ca.	Ready for Resolution Visit
75-C-018	HCT		X	Wisc.	HEW Referral
75-C-019	HCT	X		Ca.	Ready for Resol. Vis
75-C-020				N.J.	
75-C-021	EF	X		Fla.	Preparing Field Visi
75-C-022	DT		X	Wisc.	Awaiting FEPCor EEOC Action
75-C-023	DT	CLOSED	CLOSED	Ca.	CLOSED
75-C-024	HCT		X	Ill.	Awaiting FEPC or EEOC Action
75-C-025	EF		X	Wisc.	Awaiting CIVR Action
75-C-026				Ca.	
75-C-027	CW		X	Ca.	Waiting for response
75-C-028				Ca.	
75-C-029	CJ	X		La.	Preparing for Resolution Visit
75-C-030				Wisc.	
75-C-031	HCT	X		Wash.	Preparing for Field Visit
75-C-032	CW	X		Wisc.	Corresponding
75-C-033	RB		X	Wisc.	Awaiting FEPC or EEOC Action
75-C-034	HCT	X		Minn.	Monitoring
75-C-035	CJ	X		Ca.	Corresponding
75-C-036	DT	X		Neb.	Preparing Field Visit
75-C-037				Ill.	
75-C-038					
75-C-039					

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NUMERICAL BREAKDOWN

CASE #	INVEST/ATTY	ACTIVE	INACTIVE	STATE	STATUS
75-C-041	CW	X		Ind.	Corresponding
75-C-042	N.A.			Ca.	
75-C-043	CW	X		Ia.	Corresponding
75-C-044	N.A.			La.	
75-C-045	N.A.			D.C.	
75-C-046	DT	X		Neb.	Preparing Field Visi
75-C-047	N.A.			Ia.	
75-C-048	N.A.			Colo.	
75-C-049	N.A.			Wash.	
75-C-050	N.A.			Wash.	

AMERICAN CIVIL LIBERTIES UNION
22 East 40th Street
New York, N.Y. 10016
(212) 725-1222

August 7, 1975

Mr. Richard Velde, Administrator
Law Enforcement Assistance Admin.
United States Department of Justice
Washington, D.C. 20530

Re: FOIA Request

Dear Mr. Velde:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended, I hereby request an enumeration of all (A) LEAA discretionary funding, and (B) LEAA block funding for fiscal years (1) 1972, (2) 1973, (3) 1974, (4) 1975, and (5) 1976, which has been made to the following law enforcement agencies as LEAA recipients or subgrantees:

(a) All state police departments.

(b) Atlanta [Georgia] Police Department.

(c) Ames [Iowa] Police Department.

(d) Bridgeport [Connecticut] Police Department.

(e) Cleveland [Ohio] Police Department.

(f) Des Moines [Iowa] Police Department.

(g) Detroit [Michigan] Police Department.

(h) Honoluly [Hawaii] Police Department.

(i) Las Vegas [Nevada] Police Department.

(j) New Orleans [Louisiana] Police Department.

(k) New York [New York] Police Department.

(l) Newton [Iowa] Police Department.

(m) Oakland [California] Police Department.

(n) Philadelphia [Pennsylvania] Police Department.

(o) Portland [Oregon] Police Department.

(p) Richmond [California] Police Department.

(q) St. Louis [Missouri] Police Department.

(r) Wayne County [Michigan] Police Department.

You may bill me at this office for the cost of reproducing materials containing the above information.

Thank you for your assistance.

Sincerely,

/s/_____

E. RICHARD LARSON
National Staff Counsel

ERL:mm

UNITED STATES DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE
ADMINISTRATION
WASHINGTON, D.C. 20531

August 21, 1975

E. Richard Larson
American Civil Liberties Union
22 East 40th Street
New York, New York 10016

Dear Mr. Larson:

Enclosed you will find the information you requested from the LEAA Grants Management Information System (GMIS). I hope you will find this information both useful and informative.

The information you are receiving is the most current information from the GMIS data base. However, the data is in a constant process of update, and as of the present time all awards of FY 74 funds have not been entered into the data base. Since some states have been updated and others have not, it is impossible to say that the information is accurate as of a certain date. If you have any questions, please contact Suzanne Grundstrom, of the Information Retrieval Staff, at 202/376-3886.

Sincerely,

/s/_____

DELPHINE F. DAY
Systems Analyst
Information Retrieval Staff

Enclosure

P.S. The cost of this information is $137.72; you will be sent a bill at a later date.